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JOHN FRANCIS MERCER,

GOVERNOR OF MARYLAND, 1801 TO 1803.

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As preliminary to a sketch of the life of John Francis Mercer, Governor of Maryland from 1801 to 1803, a brief account of his parentage and family may be given, as mistakes have been made in respect to them.

John Francis Mercer was the son of John Mercer, of Marlborough (the name of his estate), Stafford County, Virginia, by his second marriage with Ann Roy, daughter of Dr. Roy, of Essex County, Virginia.

John Mercer was the son of John Mercer, of Dublin, Ireland, and his wife, Grace Fenton, grandson of Robert Mercer, and great-grandson of Noel Mercer, of Chester, England, which is as far back as the records in my possession extend. Family tradition, however, connects this English family of Mercers with the Mercers of Aldie, Perthshire, Scotland. John Mercer came to Virginia in 1720 at the age of sixteen, and in 1725, at the age of twenty-one, married his first wife, Catherine Mason, daughter of Col. George Mason (2nd), of Stafford County, Virginia, sister of Col. George Mason (3rd), and aunt of George Mason (4th), of Gunston, Fairfax County, Va., who drew the Bill of Rights, and assisted in framing the first Constitution of Virginia in 1776.

The sons of this marriage were George, John Fenton and James. John Fenton was lieutenant and captain in the French and Indian War, and was killed by the Indians on the Warm Springs Mountain, Virginia, near Edwards's Fort, in 1756. George and James were both educated at William and Mary College, the former, George, serving as lieutenant and captain in Col. George Washington's regiment in the French and Indian War, and later as lieutenant-colonel and aide-de-camp to Col. Washington, and with him representing Frederick County, Virginia, in the House of Burgesses, from 1761 to 1765. The latter, James, served as captain in the French and Indian War, commanding at Fort Loudoun, Winchester, Va., in 1756, represented Hampshire County, Virginia, in the House of Burgesses, 1763 to 1776, was a member of the Virginia Conventions of 1774, 1775 and 1776, of the Committee of Safety, 1775 to 1776, of the Continental Congress, 1779 to 1780, Judge of the General Court, 1780 to 1789, and of the Court of Appeals of five judges from 1789 until his death in 1793. The father of these three sons, John Mercer, of Marlborough, was a prominent lawyer, was Secretary of the Ohio Company, and author of Mercer's *Abridgment of the Laws of Virginia*. He is said to have written the first tract published in Virginia against the Stamp Act, but no known copy of it is in existence. His eldest child by his second marriage with Ann Roy, Grace Fenton, eldest sister of John Francis Mercer, married Muscoe Garnett, of Essex County, Virginia, in 1767.

It has been thought by some that this Virginia family of Mercers was the same as that of Doctor, later General, Hugh Mercer, of Fredericksburg, Va., but the only connection is that Dr. Mercer's sister, Isabel Mercer, was the first wife of Col. George Mercer, above-mentioned, as stated in Judge John T. Goolrick's recent "Life of Gen. Hugh Mercer." Dr. Mercer came to this country from Scotland about 1745, and settled first in Pennsylvania and afterwards at Fredericksburg, Va., and was physician to the family of John Mercer of Marlborough.

The subject of this sketch, John Francis Mercer, was born May 17th, 1759, at Marlborough, Stafford County, Va. He was educated at William and Mary College, as were his elder

brothers, that being the most convenient and accessible college for young Virginians, and he graduated there in 1775 at the early age of sixteen. But the war between Great Britain and her colonies had begun, and it was not long before we find him in the military service. We learn from Force's *American Archives* (Fifth Series, Vol. 1, 1776), that he was First Lieutenant in Captain Wm. Washington's company of the third Virginia Regiment, the field-officers of which were Colonel Hugh Mercer, Lieutenant-Colonel George Weedon, and Major Thomas Marshall, father of John Marshall, Chief Justice of the U. S. Supreme Court. The commissions of the field-officers of this regiment were dated February 13, 1776, and that of First Lieutenant John Francis Mercer, February 26, 1776, before he had completed his seventeenth year. It does not appear that there was at that time any objection to enlisting young men under eighteen years of age, as was the case in this country some eighty-five years later. From a field return of the third Virginia Regiment, then commanded by Col. George Weedon, dated November 5, 1776, we find Lieutenant Mercer "appointed Captain to the General's guard," which is always regarded as a responsible position.

The only account that we possess of John Francis Mercer's services during the Revolutionary War is found in a letter of his to Colonel Simms, without date, but from a reference to President Madison, it must have been written between 1817 and 1821, the date of Gov. Mercer's death. This letter is in the possession of his great-grandson, Major Carroll Mercer, of Washington, D. C., and it has been printed in Gaillard Huut's *Fragments of Revolutionary History*, published by the Historical Printing Club of Brooklyn, N. Y., in 1892. This being the principal authority that we have I shall quote freely from this letter, although it relates chiefly to the Yorktown campaign. He says: "I became a captain in the Third regiment of the Virginia line from the battle of Brandywine, my commission bearing date from that day," that is, September 11th, 1777; Heitman's *Historical Register* says, "to rank from 27th June, 1777." It may be added here that he was wounded in that battle, and doubtless was out of

service for several months. He continues : "In March, 1778, I was appointed in general orders at Valley Forge Aide-de-camp to Maj.-Gen'l Lee ['with the rank of Major,' says Heitman], and in that capacity served at the action of Monmouth Courthouse [June 28th, 1778], and afterwards gave my evidence in his trial, which will be found entirely exculpatory of his conduct in that much misunderstood and misrepresented affair. After the sentence of the Court Marshal [*sic*], suspending Gen. Lee from all command for one twelve-month, was confirmed by Congress, I determined to quit the army and study law, and in the Fall of 1779 I fixed myself for this purpose at Williamsburg, under the auspices and direction of Mr. Jefferson, then lately appointed Governor of Virginia."

In the fall of the following year, 1780, General Robert Lawson, on the invasion of Virginia by General Leslie, received authority to raise a legionary corps of volunteer militia to be commanded by officers of his own selection and appointment. "It was in virtue of this authority," says Col. Mercer, "that I received my first appointment of Lieutenant-Colonel from General Lawson, dated the 24th of October [1780], in one of the regiments of foot of which the command was given to Colonel James Monroe in a similar manner." This force joined the command of Gen. Muhlenberg near Smithfield, Isle of Wight County, Va., in November, but about November 20th, Gen. Leslie embarked his troops and proceeded to join Lord Cornwallis by water. The camp of Gen. Muhlenberg broke up, and the legionary corps "were perhaps too precipitately disbanded," says Col. Mercer. After the disbanding of Lawson's corps Col. Mercer commenced the practice of the law at Fredericksburg, Va., and was residing there in the beginning of May, 1781. Gen. Weedon had taken command of the troops near Fredericksburg, and "it was here," says Col. Mercer, "that Gen'l. Weedon communicated to me a letter from the Marquis de la Fayette stating his total want of, and great distress for, cavalry, and conveying a request that I would exert myself to raise a volunteer corps of horse. With the assistance of Mr. Washington, the present judge [that is, Judge Bushrod Washington], then a youth

of twenty, Mr. Ludwell Lee, the Mr. Brents, and other young gentlemen, a corps was collected, armed, and marched in less than a week. At first it did not exceed thirty ; it gradually, however, grew in numbers and reputation, but never exceeded fifty on duty at any one time ; they furnished their horses and arms themselves, and paid their own expenses until all their resources were exhausted, without recurring to the distressing modes which the decline of paper money had rendered almost indispensable and universal, requisition, impressment and payment in certificates. This troop joined the Marquis in Hanover County, at the moment that Col. Tarleton had made his demonstration, whilst the American troops were drawn up expecting an immediate attack, and was instrumental in ascertaining that the enemy in view were only a reconnoitring party. The moment they disappeared the Marquis abandoned the road to Fredericksburg, and leaving that position to its fate, directed his march through the upper part of Spotsylvania [county] and crossed the head waters of Mattapony in the route to Orange C. H., with a view of forming a junction with Wayne and gaining the upper country through which Wayne was then marching." "From the time that my volunteer corps had joined the Marquis their activity and good conduct had distinguished them in the army, where such corps had before fallen into disrepute ; the duty they had performed would have destroyed the same number of any regular troops ; their youth, their spirit, and the honourable pride incident to their station in life, encouraged them to attempt anything, and, accustomed to ride in the woods, their fine horses extricated them when surrounded by the numerous adverse cavalry ; they lived on the flanks and rear of the enemy, and although few days passed without some of them, and often the whole corps, being pursued by parties greatly superior in number, yet they sustained no loss themselves ; on the contrary, the day Tarleton made the movement against Muhlenberg, they proceeded to Richmond, alarmed the Pickett on Shockhoe hill, fell into Tarleton's rear, carried off his Parolle [*i. e.*, his rear-guard], and conducted them safe through the woods to the American camp, altho' the whole force of Tarleton was then in motion between. These were the only prisoners made by any

part of the army during the summer campaign that I recollect ; certainly they were the only horsemen that were taken."

Col. Mercer came near being captured on a reconnoitring expedition to Williamsburg, July 6th, 1781, but he escaped and rejoined his troop.

Coruwallis was eucamped at Williamsburg, and Lafayette, having information that he was on the eve of crossing James River, directed Col. Mercer's corps to obtain the earliest intelligence of the movement. For this purpose they made a circuit of twenty miles and halted back of the Palace, and were at Lord Cornwallis's headquarters,—which were at President Madison's house at William and Mary College, the Reverend James Madison, afterwards Bishop of Virginia, being then President of the College,—a very short time after Cornwallis left them, and they informed the Marquis in time for him to put his troops in motion that evening. He continues: "The American army halted that night about eight or ten miles from the enemy, and early in the morning of the 6th of July I rode up to Green Spring house [near Williamsburg], and was informed by a black with a knapsack at his back standing at the door, that it was the quarters of Col. Tarleton, who (he said) was then in a spring-house a few yards distant. During the conversation myself and three or four young gentlemen with me found ourselves suddenly surrounded in a decayed yard formed of brick walls, but the enemy, by pushing to cut off our retreat, enabled us to escape in a contrary direction, and outriding them in the wood, I was enabled to gain my troop which I had placed in cover on the road. The manner in which I had gained this intelligence, which was so abrupt as to admit of no deception, and what I saw of the enemy's force, satisfied me that their main body had not crossed and was not crossing, and I gave this as my decided opinion to the Marquis at 11 o'clock whilst advancing with his troops."

This incident is followed by an account of the battle of Green Spring, near Williamsburg, in which Lafayette and Wayne were defeated by the British. From the account given the defeat seems to have been due to a lack of efficient reconnoissance, and hence an ignorance of the numbers of the British. This action does not

loom up large in the battles of the Revolution, but I have noticed that the losing side, in its histories, does not lay much emphasis on defeats.

Col. Mercer says: "Major McPherson and the head of Armand's horse led the column; I followed with my troops; then at a considerable interval the Continental light infantry were followed by Gen. Wayne's brigade, the whole amounting to 2200 effective men, a force rather unequal to 8000, the flower of the British army, posted with every advantage not now more than a mile in front."

Major McPherson was ordered to take command of 150 riflemen on the left, and Lieut.-Col. Mercer of a similar number on the right. The latter attacked a picket of 100 or 150 men near a house, drove them off, and gained possession of the house. At this moment his troop was sent to him, and though they "could be of no possible use, to encourage the riflemen and give them confidence," he drew up the troop in a lane which led towards the main road and the enemy. The enemy opened with three pieces of artillery at from 300 to 400 yards. Almost at the first discharge Col. Mercer's horse received a cannon-ball in his body, which carried away his rider's stirrups and bruised his foot, several of his troop were dismounted, and the riflemen fled. He mounted another horse, but it was impossible to rally those who had fled, and the whole front line of the enemy advanced with shouts. Two pieces of artillery now arrived, but Col. Mercer advised the Captain to withdraw them, "which advice he followed with reluctance and saved his pieces. This advanced corps was entirely dispersed, and the wounded were retaken by the enemy." Col. Mercer continues: "I fell back with a few of my troops, having ordered on the others to join a party who acted as body-guard to the Marquis. At the distance of about 300 yards in the rear of where we had been engaged, I found Gen. Wayne's brigade drawn up across the road and through the wood to the right. I staid with them until they were defeated. We had just begun to assume the stiff German tactics, as the British acquired the good sense, from experience in our woody country, to lay it aside. Wayne's brigade was drawn up in close order, while the

British advanced in open order, keeping up a deadly fire, and the destruction among Wayne's troops was very great. In less than thirty minutes from the retreat of the advanced corps, the rout was total, and our flying and dispersed soldiers escaped along the causeway and through the morass." Fortunately the British horse, "who never made an effort during the action," did not advance, for, if they had done so, "had charged down the road and taken possession of Green Spring," Col. Mercer thinks that very few of the Continental troops could have escaped, the Marquis's army would have been broken and dispersed, and Lord Cornwallis would have escaped the catastrophe at York.

The editor has a note on this battle, stating that this account is at variance with the printed accounts, and he refers to Johnston's *The Yorktown Campaign and the Surrender of Cornwallis*, and to Marshall's *Life of Washington*, but as it is the account of an eyewitness and participant in the engagement, who acknowledges a disastrous defeat, it deserves the greater credit.

Col. Mercer continues: "As it was, the troops collected that night a few miles beyond Green Spring, and the next day being not pursued and being joined by an excellent corps of horse from Baltimore commanded by Captain More, and having preserved all their baggage, they soon forgot the disaster of this day.

"The British were, therefore, perfectly right when they speak of defeating the militia in the commencement of this action; they defeated those I commanded, who, being reinforced by the corps of Galvan and Willis, the corps of volunteer horse and two pieces of artillery, made no doubt a very formidable appearance, although none of them did any mischief except the Riflemen and Galvan's, and the latter not much. When our accounts speak nothing of the engagement of the advanced militia, it only shows that such confusion reigned that no one had any just knowledge of this affair who has yet described it. Thus terminated one of the most silly and misjudged affairs that took place during the war."

The editor here quotes from Tarleton's *Campaigns*, who says: "The events of this day were particularly important and claimed more attention than they obtained." He thinks that Cornwallis "might certainly have derived more advantage from his victory;"

that, if the light infantry and cavalry had been detached next morning before dawn of day to pursue the Americans, "La Fayette's army must have been annihilated," and this "would have prevented the combination which produced the fall of Yorktown and Gloucester."

Col. Mercer informs us that "The next day the Marquis thought proper to compliment my corps highly in general orders which, indeed," continues he, "they always deserved, but on that day none of them were with me till towards the close of the action of small arms, and although afterward they were exposed to great danger, they could not possibly render any service," and he concludes his narrative of the action near Green Spring: "Many of the gentlemen of this corps being dismounted, and all exhausted, and finding that the armies were about to operate on the south side of James River, I obtained permission for the corps to return to their homes, and I know nothing farther of the military transactions of this campaign till the siege of York and Gloucester, but believe they were altogether unimportant and almost devoid of military incidents."

We see from this narrative of Col. Mercer, and from that of Col. Tarleton, that Cornwallis did not take advantage of his success near Green Spring; and if he had taken proper advantage of it and routed Lafayette's army, which seems to have been in his power, he might have escaped the subsequent disaster at Yorktown.

The final section of Col. Mercer's letter gives his experiences in the siege of York and Gloucester, which had been invested by Washington and Rochambeau, with the fleet of Count de Grasse at the mouth of York river. He says: "Early in September [1781] Gen'l. Weedon, being about to take the command of the troops destined to act against Gloucester, applied to me to accompany him, promising me a command of select militia.

"I consented and Gen'l. Weedon . . . took post at Dixon's mill about the middle of September, and, soon after, Gen'l. Choisy joined us with the legion of the Duke de Lauzun and 1000 marines, having now command of 1600 French regular troops and about 2000 American militia." . . . "Agreeably to Gen'l.

Weedon's order I had selected from the militia such old soldiers as I could find, who, having retired from the army after the expiration of their terms of service, were now performing their tours of duty with the militia as other citizens. To these I added the most likely young men that volunteered their services, and such young gentlemen as officers as appeared most promising; personally I was acquainted with none of them. Of such material I collected a corps consisting of 200 rank and file, and a proportionate number of officers. Without much relation to size, as a distinction that appeared best calculated to create an *esprit de corps*, they were termed the Grenadier regiment. After arming and disciplining them in the best manner time and circumstances would permit, they were attached to the legion of Lauzun, the infantry of which did not exceed 350 men fit for duty.

"Until this time I had acted without any commission, but the Court of my native county of Stafford, probably being apprized of the circumstances, recommended me to the Executive, who forwarded me a commission as Lieutenant-Colonel of the militia of that county, but which was not necessary to confer an authority that was never disputed."

Here follows an account of the action before Gloucester of October 2, 1781, the only action in which Mercer's troops were engaged before the surrender of Cornwallis.

He says: "Early in the morning of the 2nd of October, I was ordered with my corps to join Lieut.-Col. Count Robert Dillon, who, with 150 of the Dragoons of Lauzun, was directed to gain the road that led to Gloucester by York River and to move on towards that post, whilst Gen. Choisy and the Duc de Lauzun, at the head of 150 Dragoons, proceeded down the Severn Road in the same direction, followed at a considerable interval by the French and American infantry, the whole intended to take up a position as near as practicable to the town of Gloucester."

Gen. Choisy overtook the foraging legions of Tarleton and Simcoe, and, as he had no infantry with him, "he requested me to hasten my march by dismounting and setting an example to the corps by running;" which Col. Mercer did, and he soon joined the French Dragoons, who found it necessary to fall back

before the British horse. "This they did slowly, with order and firmness, under the fire of the enemy until they found that my corps was just emerging from the lane, when they fell in behind them and faced about to receive the charge of the British horse now formed again and advancing with their infantry in the wood." "My little corps of new troops, which did not exceed 160 rank and file fit for duty, were at first somewhat startled to find the French horse retreating so rapidly by them in the open field, exposed to at least 460 horse of the enemy and a body of infantry in the wood; and their situation was evidently rendered more critical by having a very high fence in their rear, and the lane they advanced through blocked up by the French horse. However, they were immediately ordered to deploy, so as to push their left flank into the wood, which they did with great celerity and good order, and commenced firing, one-half on the cavalry on the right, and the other half on the infantry advancing rapidly through this wood. The horse of the enemy had approached within 250 yards, and the infantry were not at more than 150 yards distance when the firing began. No regular troops could behave with more zeal and alacrity than this corps of militia. Their spirits had been raised by running them up, and being hurried into action without time to reflect on their danger, they discovered as much gallantry and order as any regular corps that I ever saw in action. Fortunately Tarleton did not like the reception prepared for him, and at a critical moment sounded a retreat, when not 100 cartridges remained unexpended in the regiment." . . . "From the fire the corps kept up, Col. Tarleton no doubt concluded them much more numerous than they were, but nothing could excuse his not proving the fact, with his great superiority.

"That night I took possession of the advanced redoubt on the main road with 150 French and 150 Americans, and the French and American troops encamped in the fields on each side of the lane." He resumes: "The siege continued a tiresome, uninteresting blockade on the Gloucester side, without military incidents, except that men were repeatedly and uselessly sacrificed by the French General in idle reconnoitring. The day before the sur-

render, and when the capitulation had been agreed on at York, Col. Tarleton came out and dined with Gen. Choisy. . . ." Orders were given "that no infantry except that of the legion of Lauzun and my corps should be present at the surrender. We marched for that purpose two miles in front of the camp, and after the arms were piled on the outside of the breastworks, Col. Hugo of the legion and myself took possession of a redoubt, and thus ended the campaign in Virginia of 1781. A few days after Genl. Washington in General Orders noticed this action of the 2nd, and returned his thanks to the legion of Lauzun and the Grenadiers of Mercer for their conduct."

The editor of this letter quotes from State Department MSS. Washington's General Orders of October 4th, 1781, returning thanks to the Duke de Lauzun and his gallant officers and men, in which he states specifically that "the corps of the allied Army were Duke de Lauzun's Legion and the Militia Grenadiers of Mercer."

From the Journals of the Continental Congress it appears that on the 18th of December, 1782, John Francis Mercer was elected to represent Virginia in that body in the room of Edmund Randolph, Esq., resigned, and took his seat on Feb. 6th, 1783. Further, in the following Congress, on Nov. 3rd, 1783, we have a record that Mr. J. F. Mercer and Mr. A. Lee produced an extract from the Journal of the House of Delegates of Virginia, by which it appears that on the 6th of June, 1783, Thomas Jefferson, Samuel Hardy, John Francis Mercer, Arthur Lee and James Monroe, Esqs., were elected, by joint ballot of the Senate and House of Delegates, delegates to represent Virginia in Congress for one year from the 1st Monday in November; and again, on March 19th, 1784, Mr. Mercer, a delegate from Virginia, is mentioned in the Journal as attending. We know that John Francis Mercer was a delegate from Virginia to the Continental Congress for three years successively, from 1782 to 1785. In the latter year occurred an event which ended his political services to his native State and caused him to transfer his allegiance from Virginia to Maryland. This was his marriage on February 3, 1785, to Sophia, daughter of Richard and Margaret

(Caile) Sprigg, of Cedar Park, on West River, in Anne Arundel County,—later his wife's estate,—which soon became his residence, and so remained until his death thirty-six years afterwards.

His marriage occurred when he was not yet twenty-six years of age, by which time he had served as Lieutenant, Captain and Lieutenant-Colonel in the Revolutionary War, in the intervals of which service he had studied law with Gov. Jefferson and practised it in Fredericksburg, Va., and soon after the close of the war he was elected a member of the Continental Congress, in which he remained until his marriage. This was a remarkable and varied experience for a young man of twenty-five, and to have been chosen a member of Congress by the Virginia General Assembly, along with Jefferson, Hardy, Arthur Lee and Monroe, would show a high regard for his abilities on the part of his constituents.

Within two years after his removal to Maryland he was sent as a delegate to the Convention which framed the Federal Constitution, along with James McHenry, Luther Martin, Daniel of St. Thomas Jenifer, and Daniel Carroll. Mercer was the youngest of the delegation, their respective ages,—as given in an article on the "Framers of the Constitution" in the *Magazine of American History* (XIII, 313) for April, 1885,—being Martin, 43, Mercer, 29 (this should be 28), Carroll, 32, McHenry, 34, and Jenifer, 64.

Along with his colleague, Luther Martin, with Edmund Randolph and George Mason, of Virginia, and a dozen others, he refused to sign the Constitution, doubtless, from having been trained in the principles of Jeffersonian Republicanism, fearing consolidation and encroachment upon State Rights.

Luther Martin, in his "Genuine Information" (which will be found prefixed to Yates's *Secret Proceedings and Debates of the Federal Convention of 1787*, and elsewhere), has set forth his reasons for withholding his signature, and I presume Mr. Mercer agreed with him.

The question, however, between the Maryland Federalists and Anti-Federalists remained to be fought over when the State Convention met on April 21st, 1788, to consider the ratification of the Constitution. The fullest account that I have seen of the

action of this Convention is in Dr. Steiner's excellent articles on "Maryland's Adoption of The Federal Constitution" (*American Historical Review*, Vol. v, pp. 22 and 207, being the numbers for October, 1899, and January, 1900); and it is upon this account that I shall draw in the necessarily brief notice of the subject that can be taken in this sketch. Opinion was so one-sided in Maryland that there were scarcely enough Anti-Federalists to make it interesting; but, as might be expected from his antecedents, Mr. Mercer was found on that side. The Maryland Convention met, as just stated, on April 21st, 1788, and continued in session until the 29th. Of its seventy-six members, there were but twelve Anti-Federalists, four from Anne Arundel County, Samuel Chase, Jeremiah T. Chase, John Francis Mercer, and Benjamin Harrison, four from Baltimore County, and four from Harford County. The Anne Arundel delegates were the leaders of the opposition, and we have a letter from Daniel Carroll to Madison, stating that "if the Anne Arundel election had not taken the extraordinary turn it did, I may say there could not have been a straw of opposition; perhaps adoption would have been unanimous." Maryland's action was awaited with interest because of its supposed effect on the action of Virginia. On account of the large majority of Federalists in the Convention, they contented themselves with listening to the arguments of the opposition without replying, Alex. Contee Hanson alone being mentioned as the leader of the Federalists. On the final vote William Paca, of Harford, an Anti-Federalist, voted with the Federalists in the hope of securing amendments; and he had prepared at least twenty-eight. A Committee of thirteen on amendments was appointed, consisting of nine Federalists and four Anti-Federalists, the latter being Samuel Chase, Jeremiah T. Chase, John Francis Mercer and William Paca, but, with a two-thirds majority, more than half of Paca's amendments were easily rejected. There was great rejoicing by the Federalists over the result. The Anti-Federalists published an address to the people of Maryland, which is reprinted in *Elliott's Debates*. Mr. Hanson prepared a reply, and Daniel Carroll sent a copy of it to Madison, which is now among the Madison papers in the Library of the

State Department (more recently removed to the mss. Department in the Congressional Library), and it is, we are told, the only copy known. In a letter to Madison soon after the adjournment of the Maryland Convention Washington writes that he "had learned that Mr. Chase made a display of all his eloquence, Mr. Mercer discharged his whole artillery of inflammable matter, and Mr. Martin did something, I know not what, but presume with vehemence, and yet no converts were made,—no, not one."

Notwithstanding the action of Maryland, it may be remembered that the result in Virginia was very close, the final vote standing, —after a lengthy debate lasting three weeks,—Ayes 89, Noes 79, and Edmund Randolph, then Governor, changed sides.

In the Proceedings of the Massachusetts Historical Society in 1903 (Second Series, Vol. xvii), we find a letter of John B. Cutting to Thomas Jefferson, then in Paris, dated London, 11 July, 1788, in which occurs the following reference to the Maryland Convention: "Meanwhile Mr. Martin and Mr. John F. Mercer, a young gentlemen whom you well know, went to the General Convention, opposed the great leading features of the plan which was afterwards promulgated, withdrew themselves from any signature of it, and from the moment when it was proposed for ratification, in conjunction with Mr. Chase and his once coadjutor, Mr. Paca, exerted every effort to hinder its adoption. When the Convention met on the 21st of April, whatsoever proposition came from Messrs. Chase, Paca, Martin, or Mercer, was viewed with jealousy or disgust, and generally rejected by a great majority;" also, since the adjournment of the Convention, the Anti-Federalists,—whose dozen names are all given,—"have appealed to the public, complaining of the Convention, defending their own conduct, and asserting that they consider the proposed form of national government very defective, and that the liberty and happiness of the people will be endangered if the system be not greatly changed and bettered."

After Mr. Mercer's participation in the Federal Convention of 1787 and in the State Convention of 1788, he served in the House of Delegates during the session of 1788–89, and again in that of 1791–2, until he was sent to Congress in 1791 in the

room of William Pinkney, resigned, where he remained over two years, *i. e.*, from November 22, 1791, to April 13, 1794. The Annals of Congress state that on November 9, 1791, the Speaker laid before the House of Representatives a letter from the Governor of Maryland, inclosing a letter to him from William Pinkney, a member returned to serve in this House for the said State, containing his resignation of that appointment; also, a return of John Francis Mercer, elected a member to serve in this House in the room of the said William Pinkney, which were read and ordered to be referred to the Standing Committee of Elections. On November 22nd the House met in Committee of the Whole to consider the report of the Committee on Elections. It appears that Mr. Pinkney had never taken his seat, nor had the requisite oath been administered to him, hence it was a question whether he could resign from the House, having been only a member-elect. This state of affairs led to a discussion which continued the day following and ended in the "acceptation" of the report of the Committee, which was in favor of Mr. Mercer's election. An amendment was, however, made to the report of the Committee the next day, which said report and amendment were twice read and agreed to by the House, as follows: "It appears that, at an election held for the State of Maryland, on the first day of October, 1790, William Pinkney was duly elected a Representative of that State to serve in the House of Representatives of the United States; that the certificate of his election has been duly transmitted by the Executive thereof, and heretofore so reported by your Committee; that, by letter, dated the 26th of September, 1791, directed to the Governor and Council of that State, William Pinkney resigned that appointment, and that, in consequence of such resignation, the Executive issued a writ for an election to supply the vacancy thereby occasioned, and has certified that John Francis Mercer was duly elected, by virtue of that writ, in pursuance of the law of the State of Maryland in that case provided, [therefore],

"Resolved, That it is the opinion of this Committee that John Francis Mercer is entitled to take a seat in this House as one of the Representatives for the State of Maryland in the stead

of William Pinkney." So finally Mr. Mercer took his seat. Although there was no dispute as to the facts of the case, it gave the speakers a fine opportunity to wrangle, and it took them three days to decide how he should take his seat, all due to the fact that William Pinkney had never taken his seat, nor the oath of office.

On January 27, 1792, in Committee of the whole House, Mr. Mercer addressed the House on the bill for making further and more effectual provision for the protection of the frontiers of the United States, and on March 30th he spoke at greater length on the Public Debt. Again, on March 1, 1793, we find him speaking on Mr. Giles's resolutions,—(which are given in full),—relating to the official conduct of the Secretary of the Treasury, who was charged with having made disbursements of money in violation of law; Mr. Mercer manifestly agreed with Mr. Giles and severely condemned the Secretary of the Treasury. The last mention we find made of Mr. Mercer in Congress is when he was appointed, April 1st, 1794, on a Committee to bring in a bill "to organize and raise a military force—to consist of 25,000 men, rank and file, to serve — years, or during a war between the United States and any European power." This was the last service, doubtless, that Mr. Mercer rendered in Congress, for he resigned his seat April 13th, 1794, and retired to his residence, Cedar Park. It may be remembered that this number, 25,000 men, was the maximum limit of the regular U. S. Army until 1861.

It is a matter of regret that so few private letters of Mr. Mercer remain, and we are entirely dependent upon his public career and letters for our idea of the man. In the correspondence formerly in the Library of the State Department at Washington, and now in the MSS. Department of the Congressional Library, will be found letters of his to Washington, Jefferson, Madison and Monroe. It would prolong this paper to too great length to quote freely from them. There is one letter, however, to Jefferson, which must serve as an exposition of his political principles, written soon after he left the Governor's chair.

Some years after his retirement from Congress he entered the

State Legislature again. On November 4, 1800, we find him representing Anne Arundel County in the House of Delegates, serving as chairman of the Committee on Finance and on several other committees, but lack of space will not permit details. At the November session, 1801, he was elected Governor of the State, receiving 59 votes to 26 for Mr. James Murray, and at the November session, 1802, he was re-elected, receiving 53 votes to 22 for Mr. James Murray, who alone was nominated in opposition on each occasion. After the expiration of his term as Governor, he was again sent to the House of Delegates from Anne Arundel County, and one of the important committees on which he served at this session was that to inquire into and report whether any and what further measures are necessary and proper on the part of this State in order to establish the western boundary thereof, that perennial question of the boundary line between Maryland and Virginia, which, however often settled, always bobs up serenely on some future occasion, but this time it was the western, and not the southern boundary that was in question. On December 24, 1803, "Mr. Mercer from the Committee delivers to the Speaker the following report," but it must suffice to quote only the appended resolution :

"Resolved—That the governor and council be and they are hereby authorized and required to adopt the measures necessary to carry into effect, as soon as may be, in concert with the State of Virginia, the resolution of the legislature of this State, passed during the November session, 1801, so far as the same can be effected conformably with the resolution of the legislature of Virginia of the 26th day of January, 1802, by causing to be run by commissioners, as therein proposed, a line from the most western source of the north branch of Patowmack, due north, till it intersects the Pennsylvania line, which line, when agreed upon, run and marked, by and under the authority of the said commissioners, shall be considered and held as the *western* boundary line between this State and the State of Virginia, until farther and definite measures shall be taken to ascertain the *southern* boundary of this State."

It is now more than one hundred years since this report was made, and we have still to await "*definitive* measures—to ascertain the southern boundary of this State," so it might be concluded that said boundary is undiscoverable.

The last record that I can find of Gov. Mercer's services in the Legislature is his membership during the sessions of 1804–5 and 1805–6, so that he served continuously in the House of Delegates for three years after the expiration of his term as Governor. I do not know whether it was then common for governors of Maryland to return to the Legislature after the expiration of their terms as Governor, but this instance shows that it was not then considered beneath the dignity of a Governor to serve his county as a member of the House of Delegates.

I must now recur to the letter referred to above from ex-Governor Mercer to President Jefferson, begun at West River, October 19, 1804, and completed at Annapolis, October 27. It seems that Gov. Mercer had recommended for appointment as Commissioner of Loans a certain Mr. Harwood, but it pleased President Jefferson to appoint a certain Mr. Hall, which mortified Gov. Mercer very much; but the special interest of the letter for us is the exposition it gives of his political principles, so the major part of the letter will be omitted. Gov. Mercer writes: "My Politics [are] now and always have been very simple; they have been fundamentally the same thro' life and ever openly declared. I was decidedly opposed to the adoption of the Federal Government, and was termed an Anti-Federal with about as much justice as one generally experiences from party. All the objections I then urged against the Constitution have been since confirmed by experience; they chiefly were that they changed the principle of our Government from Republican to Monarchical. I had ever believed, and still do believe, that the People themselves are the best Electors of their own Officers, and where they cannot well be brought into action, I would prefer those large Assemblages of functionaries who partake most of the qualities of the people. When the source of the appointment remains with the people themselves, or even a numerous body of Representatives, the route to office must be by open, generous, disinterested and independent

efforts to serve them. Public virtue and patriotism will constitute the best claims to office, and that species of virtue which alone can support republican institutions becomes gradually the basis of private character and the only means by which even Ambition can mount to Power ; but when one man or a few men appoint, the access to office is too generally by intrigue, cunning, flattery and servility. How seldom have we read in history of a single magistrate, or a secret Council, employing the disinterested or independent ? They are rejected because too unaccommodating ; it appears to be more flattering to self-love to seek out some servile, cringing dependant, and to say, 'This man owes his greatness all to me ; the more weak or even the more wicked, the more dependent he must be on me ; as he has risen, so he must fall with me ; I may therefore safely rely on his attachment.'

"Such has been generally, and I fear too often will be, the sentiment and language of power in all ages and all climes. Such is the genius of monarchy, and I lamented that, altho' it was not the basis, it was made the dome that connected and crowned the Pillars of our Constitution. I lamented also that the great and indeed only security of a confederation of Republics was destroyed by so far consolidating the general Government as to sink the distinctive spirit of separate States. A diversity of State-interests, prejudices and parties, (for parties will exist in some degree where there is freedom,) acting without uniformity and frequently counteracting each other, leaves the great majority of the Component Members sound and cool to repress the agitation of a part. Parties in politics, like sects in Religion, can only be divested of their danger by multiplying their number and diversifying their objects. Now one universal sympathy pervades the whole Continent on every public question ; the individuality of States is solv'd into two great parties, which, as they alternately command the majority, will inflict increasing injuries on each other, until violence and rancour, with their concomitants, anarchy and bloodshed, can admit of no other remedy than the bayonet of a military despot.

"General Washington might have ended the drama before it well began, but a Royal or Hereditary Government cannot be

established here now without some military force, and it will not, I apprehend, require a large one, but from the contempt of the military for the civil character, I suppose it must be by a military Leader. Unless therefore effectual measures are taken to calm the animosity and rancour of party, I do apprehend that the first war we are engaged in will verify my predictions that the Federal Government must soon terminate in a military despotism. An unambitious, unenterprising man may be selected to command the Army, but he can never hold the station. An Army presupposes something more than mortal in him who commands, and little more than passive mechanism in those who obey. As the strongest spirits must ascend when mixed with a weaker medium, so genius and enterprize will find their way to the head of the Army, or there will soon be no Army. An able enterprising military Leader at the head of a few troops between two contending hostile factions, who would prefer anything to the success of their adversaries, will not require the talents of a Bonaparte to play the same game that has been repeated over and over from the beginning of the world.

“As to the changes which you consider as contemplated by one of our parties, or a British form of Government, which justly has its admirers among the best of all parties, I cannot but consider them as idle dreams; they can never be carried by suffrage, and they never will be carried by the bayonet; the man who has power to place himself at the head of an Empire, will never in reality limit his own authority, for Helvetius has very truly said that every man would rather be Grand Seigneur than King of England.

“Such was my language respecting the new Constitution 16 years ago; my disapprobation was founded on what I thought fundamental errors, and altho’ I had many minor objections, they were but as boils and blotches on the body of a criminal already sentenced to die.

“From the progress, however, which I had observed in public opinion, I had no doubt that any change that could be made would be from bad to worse, and when the Constitution was established, as I could see no other resting-place, I determined

to abide by it, believing that it might last longer than I should, and, tired of revolutions, I trusted that a good administration might palliate its defects, if it could not rectify its vices, the most destructive of which has been that it has carried discord and unhappiness into the bosom of almost every private family united as brethren before.

"In fact, the attempt to unite the States has disunited all the People. From a mild temper, philosophic turn of mind, and benevolent heart, I did expect (and I so express'd myself) that you would do much to heal the wounds already inflicted by party spirit, and which I really thought had been designedly exacerbated to pave the way for a revolution; if the event has not answer'd my expectation, I am willing to attribute it in some measure to the conduct of the Federal Presses, but the great cause must be sought elsewhere, and, I believe, in an irremediable vice of the Constitution. Still I would be one of the last men in America who would attempt to change or mend it. The only change I now look to with any hope is the strengthening of the State Governments by rendering their offices more eligible in order to divert the current which now sweeps everything into the vortex of the General Government."

The letter concludes with the statement that he has given an exposition of his political views, and will soon be no more seen or heard of in politics, but wishes to remain in the memory of his friends, of whom Jefferson is one.

We have seen that Gov. Mercer served in the House of Delegates two years longer, and this position he seems to have preferred to that of Congressman or Governor.

During the latter part of his life his health gave way, and he visited Philadelphia to consult a physician, where he died on August 30th, 1821, and there he was buried, having served his day and generation to the best of his ability. His remains were later removed to Cedar Park. Whether we agree or not with his political principles, we must concede that he ever remained true to them, and that in his political, as well as his social, relations he exhibited the characteristics of a high-toned, honorable gentle-

man, of whom the State he served, and in which he spent thirty-six years of his life, may well be proud.

Gov. Mercer was survived by his wife, Sophia Sprigg. She is buried at Cedar Park, near her great-grandparents, Richard Galloway and Sophia, his wife, her grandparents, Thomas and Elizabeth Sprigg, and her parents, Richard and Margaret (Caile) Sprigg. He was also survived by his son, Major John Mercer, and his daughter, Margaret Mercer, who devoted her life to the education of girls and was known as the "Hannah More of America." She died unmarried, in 1846, at Belmont, Loudoun Co., Va., and is buried at Cedar Park. Her Life has been written by Dr. Caspar Morris, of Philadelphia.

Major John Mercer was educated at St. John's College, Annapolis, and having received a military commission as Major, accompanied Gen. Winfield Scott to Europe on an inspection of military fortifications. He married in 1818 Mary Scott Swann, daughter of Thomas Swann, of Alexandria, Va., and sister of the late Gov. Thomas Swann, of Maryland.

Major Mercer died in 1848 and his wife in 1864, and they are both buried at Cedar Park. They left a large family of children, who, with their descendants, are noted in the Mercer genealogy printed in "The Sun" of September 17th and 24th, 1905.

COLONIAL WOMEN OF MARYLAND.

ANNA SIOUSSAT.

The beginnings of the colonization of our shores, the causes which led to them, the varied ways of their fulfillment, and too often their tragic endings, form a theme so fascinating that one might well be pardoned if, like the pilgrims of old, the attractions of the portal should so enchain him that his days might be ended in its contemplation, rather than in that of the inner shrine.

In the vast aggregation which spreads out before the student it seems well to select two threads from out of the warp and woof of colonization and along them to trace the influence of women. Those commonly chosen in historical research have been Spanish and English beginnings, and surely no brighter ray has ever been thrown upon these shores than the coruscations from the casket of Isabella, whose womanly intuitions stood her in good stead when she cheered the heart of her irresolute consort and exchanged her jewels for a continent. The contest, however, for this goodly heritage, was more hotly made—more thoroughly prolonged, and indeed only ended, between France and England with the fall of Quebec in 1759. While to Spain undoubtedly belonged the first substantial right of discovery—a claim respected and allowed in all the earlier English settlements—while John and Sebastian Cabot were sent out by Henry VII a year before Columbus made his second voyage, France, availing herself of the enterprise and endurance of Verrazzani, was more tenacious in her grasp, and while from her internal condition she could pursue no elaborate plan of conquest, she obtained a steadfast footing upon the territory which became “Nova” in turn to each—as nation after nation filed past in the march of colonization.

Although the bleak shores of Labrador and Newfoundland had little to attract the hardest adventurer, the fishermen of

Normandy and Brittany lost no time in settling along the north-eastern coast of the Terra Incognita. Verrazzani in the service of Francis I, had in 1524 reconnoitred several of the natural harbors, now our finest seaports, and his log contains the earliest reliable information extant relating to the coast of the present United States; and the wildest dream of the romance-maker has never exceeded the relation of the first white woman—a daughter of France—who inhabited for any length of time the shores of North America.

In 1542 the Sieur de Roberval, intrepid successor of Verrazzani and Cartier, in his voyage of discovery and intent of colonization steered to the northward to the Straits of Belle Isle and the Isle of Demons—so called, from the traditions of the Indians, confirmed by the French voyageurs, of its possession by fiends from the nether world. His crew seems to have been an extraordinary one, embracing as it did, not only nobles and adventurers, but women as well. These were high-born dames, and among them sailed Marguerite, a niece of the viceroy. In the ship was a young gentleman of France who had embarked for love of her. This love was only too well requited, and the stern viceroy, so Parkman tells us, “scandalized and enraged at a passion which scorned concealment and set shame at defiance, cast anchor by the haunted island, landed his indiscreet relative with her old Norman nurse and left her! Her lover threw himself into the surf and gained the shore. The ship vanished. The demon lords of the island soon asserted their supremacy, and in the form of beasts and other shapes unutterably hideous, howling in baffled fury, tore at the branches of the sylvan dwelling; but repentance having come to the young pair, a celestial hand ever interposed and there was a viewless barrier they might not pass. The fiends grew frantic, but all in vain. Marguerite stood undaunted amid all these horrors, but her lover, dismayed and heart-broken, sickened and died; her child soon followed; the old nurse was laid to rest in the unhallowed soil, and Marguerite was left alone. Neither her reason nor her courage failed. When the assailants came too near, she shot at them with her arquebus; they defied her with hellish mirth. Thenceforth she trusted in

Heaven alone. The bears proving more substantial foes, she killed three—'all as white,' says the old chronicler, 'as an egg.' It was two years and five months from her landing when, far out at sea, the crew of a small fishing craft saw smoke curling upward from the haunted shore. They warily drew near and descried a female figure in wild attire signalling to them. Thus was Marguerite rescued and restored to her beloved France, where Thevet met her, and heard the tale of wonder from her own lips."

Such brave navigators and adventurers as those already named, and many others, with their actual occupation of the soil, gave to France a priority of claim which justified the bestowal by her monarch upon Madame Antoinette de Pons, Marquise de Guercheville, of an original letter of possession for the whole of North America from the St. Lawrence to Florida. Her expedition set sail from Dieppe on the 26th of January, 1611, and with no worse adventure than the encountering of icebergs "larger than the church of Notre Dame," on the day of Pentecost anchored before Port Royal, now Annapolis, Nova Scotia. Here her arms, with the cross and the lilies of France, were planted by her people, conducted by two Jesuit priests, Père Biard and Père Masse.

Thus our own "Land of Mary" was for a time in tenure of a woman, and that woman so distinguished for her piety and virtue, in a court and age where such graces were most rare, that she was presented to Marie de Medici by Henry of Navarre with the statement: "Madame, je vous donue pour dame d'honneur, une veritable femme d'honneur." The history of her settlement is so interesting that it deserves a more extended mention than time now permits. Suffice it to say that owing to disagreement between the Jesuit fathers and Protestant officials, a foreshadowing in some degree of the affairs of the Maryland foundation, Madame la Marquise was forced to send La Saussaye from Honfleur to conduct her colony to an island which Champlain had endowed with the name of Mount Desert, but which her colonists, ignorant of their whereabouts, renamed St. Sauveur, and where Captain Argall under the name of the Virginia Company, in which George Calvert had become a grantee, brought terror and destruction entire upon Madame de Guercheville's emigrants and plans.

In or about 1604 George Calvert had married Anne Mynne, and he might have gone to Venice in 1614 as English ambassador, thereby diverting his energies from these parts. He is, however, chronicled as "not likely to affect such a journey, being reasonably well settled at home, having a wife and many children, which would be no easy carriage so far."

The women of the day, mothers and wives of the future Colony, were not exempt from gossip and scandal, and the spirit of intrigue which pervaded the Court atmosphere. Indeed the appointment of Calvert as Secretary was affected in no light degree by the domestic infelicities of his predecessor in office, Sir Thomas Lake. Nothing in the annals of the century was more remarkable than this *cause célèbre* between two noble dames, in which poison, witchcraft, and attempt at murder, were among the leading accusations. This trial, involving as it did a large circle of masculine relatives, to say nothing of political and religious complications, had so moved James I to wrath that in a star-chamber discourse he adjures all secretaries "to beware of trusting their wives with state secrets;" using the highly orthodox but most uncomplimentary simile with regard to the family connection of the retiring secretary, that Sir Thomas was Adam, Lady Lake, Eve, while to Lady Loos, their daughter, was allotted the unenviable position of the serpent. James seemed to stake much upon the examination of Secretary Calvert with regard to the virtues of his spouse, and must have been relieved at the domestic picture painted in few words by the sturdy courtier from Yorkshire: "She is a model wife, Sire: she hath brought me ten children, and I assure your Majesty she is not a wife with a witness."

Under the steadfast hope and expectation that the Northwest Passage would prove a speedily successful accomplishment, Sir George Calvert obtained a patent for Newfoundland. Owing to the severity of the weather, sickness among his people and the depredations of French cruisers, who continually harassed him and disputed the possession of the coast, he did not long remain on these hyperborean shores. The Avalon grant having been made in 1623, at which time he was unable to leave Court to

visit his possessions in person, and his first acquaintance with the rigorous climate of Ferryland beginning not earlier than 1626 or 1627—his departure for sunnier Virginia and Carolana occurring in 1629. He came back to England to secure his charter for *Crescentia*; but again a woman's influence moved the pieces upon the board and the new province, first *Mariana*, and then as we know it to-day, was made *Terra Mariæ*. So loyally was this baptism received that women are living among us to-day called after their ancestresses, who, not contented with the title of the Colony, named their girls *Henrietta Maria*. Before, however, the charter for Calvert's new dominion had passed the Great Seal, the Baron of Baltimore had set sail upon his longest journey. His son reigned in his stead, and no name is more familiar to the ear of a daughter of Maryland than that of the fair woman whom Cecil Calvert took to wife, perpetuated as it is in the county on the banks of the Severn.

Meanwhile the English colonization had been progressing under the several Virginia Companies, and among long lists of patrons the names of some of England's distinguished women are enrolled:—

Mary, Countess of Shrewsbury; Elizabeth, Countess of Derby, ancestress of that heroic Charlotte who so well defended her own castle; Margaret, Countess of Cumberland; Lucy, Countess of Bedford; Mary, Countess of Pembroke; Lady Elizabeth Grail, Elinor Lady Carre, and others.

In the early plantation of Maryland there was no such provision as we find for Virginia, when in the autumn of 1621 the *Warwick* and *Tiger* sailed from Gravesend, England, with supplies and thirty-eight young women, "selected with care," as wives for Virginia planters. These had but a narrow escape from the Turks, by whom they were actually captured, but were rescued by a friendly vessel. Many of the women, however, who came out as servants into the Maryland settlement from 1634 to 1670, married well and became persons of wealth and distinction in the Colony—as "Helenor Stephenson, who came out from England with Sir Edmund Plouden as his servant, was lawfully joined in matrimony with Mr. William Braithwaite of St.

Marie's." He was a kinsman of Lord Baltimore, and held a commission as "Commander of Kent," "Commander of St. Marie's," and other important positions. There is also mention of Anne Bolton, of St. Martin in the Fields, who was sold to Mr. Francis Brooke—(a Burgess of St. Mary's in the Assembly of 1650) for his wife. These servants (who were often innocent country girls kidnapped by men who made this their nefarious profession) if under twelve, were bound for seven years; if over twelve, only four years were required. Upon the release of a "mayd" she was to receive "one new petty-coat and wast-coat, one new smock, oue pair new shoes, one pair new stockings, and the cloathes formerly belonging to the servant"—and if these seem but a meagre showing for a wardrobe, we must remember with how little our predecessors, even in the Court circles of the Colony were content, compared to the modern dame. An abstract from "a Rate of goods" allowed to a Colonial woman on May 19th, 1647, by the Governor and Council may give some idea of what they had to pay for what they got, when they did go shopping on shipboard:

"Item. Browne-Hollande att 018½ shillings per yard,
Dutch shoes att 30 shillings per pair"—

and so on. The Indenture between Thomas Greene and Hannah Matthews in 1647 calls for more substantial requital for her service, as it names "fifty akers of land and one yeare's provision according to the custom of the country. She may, however, be acquitted of all obligacōn if she pay or cause to be payed to Thomas Greene one thousand weight of good merchantable leaf tobacco and caske, and three barrells of goode corne; but she must not dispose of herselfe in marryadge without consent of Thomas Greene."

The dark shadows of the Middle Ages were still resting upon the world, and in two of the early voyages from the mother country there are entries of executions for witchcraft. In 1654 the *Charity*, John Bosworth, Master, before they reached the Chesapeake, had been exposed to tempests, not, in the opinion of the crew "on account of the violence of the ship or atmosphere,

but occasioned by the malevolence of witches. Forth with they seize a little old woman, suspected of sorcery, and after examining her with the strictest scrutiny, guilty or not guilty, they slay her, suspected of this very heinous sin." To this Father Francis Fitz Herbert and Henry Corbyn both depose. Also on October 5th the Provincial Court summoned John Washington of Westmoreland County to testify in the case of Elizabeth Richardson, who was hanged on the voyage out, as a witch and a soreerer. The laws of the Colony show that in penalty for crime, barbarism had many survivals. For sorcery, blasphemy, and idolatry, burning was to be the fate of the victim. For treason, a woman was to be drawn and burned, and that the necessary implements for minor offences should not be lacking, an Act was passed providing irons for burning malefactors. Blanche Oliver for wilful perjury is condemned to stand in the pillory and lose both her ears, and the entry reads "was executed." One can readily understand that the urgent necessity for women to have protectors, as well for considerations of Church and State might have produced what seemed to Thomas Copley, [the trustee for the possessions of the Jesuit Fathers], great injustice in the Legislation of the first Assembly in 1634. To this he calls attention in his letter to Lord Baltimore: "That it may be prevented, that noe woman here vow chastity in the world unless she marry within seven years after land shall fall to her. She must either dispose of her land or else she shall forfeit it to nexte of kinne. Whereas she cannot alienate it, it is gone unless she git a husband. To what purpose this ole law is maid your Lo^{pp} perhaps will see better than I." Mrs. Saunders had less grace than this, as Charles Calvert writes to Cecil: "Mrs. S. hath been received under my roof, where I presume she will remain for one yeare and I hope she will thinke fitt to dispose of herselfe by way of marryadge afore that time bee expired."

In the Assembly Proceedings of March, 1638, is entered: "Then was heard an action of Mistress Gertrude James, against Captain Evelin, and the Court ordered that damage demanded should be alledged and drawn up in form next day att St. Mary's

Fort;" and on the 1st of August, 1640, we find the entry: "Captain Claiborne, administrator of Richard James, Minister, brought into Court at James City his inventory and account. He alleged that the Governor of Maryland had seized on the greater part of the estate and detained it from him," and Mrs. James thereupon entered her protest against such action in the seizure of her cattle and household store. Some one wickedly comments that all the colonial women seemed to do was to go to law about a cow or a calf. Such cavillers would do well to remember that in all primitive communities, wealth consisted mainly of cattle.

On July 30, 1638, we have the first entry of land apportioned to women in Maryland. In the original document among the unpublished Calvert papers, entitled, "A note of all the warrants for granting land in Maryland," is found:—

"To Mistress Winifred Seaborne 100 acres." Then follows: "Mistress Troughton to grant her as much land as any of the first adventurers had in respect of the transporting of five persons thither and the rent mentioned in the first conditions," 2nd August, same year: "To Mistress Mary and Margaret Brent the same with Mistress Troughton." Later on the number increases, but it has been a matter of surprise to many who are thoroughly conversant with the history of Maryland that there were women who shared the early responsibilities of the finances of the colony. In 1642 there were four female householders numbered among the taxable citizens. Elizabeth Beach was assessed in St. Mary's Hundred, August, 1642, for "expenses of Assembly and drummer boy" of 1260 lbs. of tobacco 30 lbs. Mistress Tranton assessed for a like amount; Mrs. Frances White coming next, mulcted in 20 lbs. of tobacco; Mrs. Brent following with 5 lbs. A second assessment for John Lewger's expenses by him made in the "late expedition against Kent" reveals the fact that Mrs. Tranton and Mrs. White were widows, and their levy for this time denotes an increase in their estate, the proportion being 100, 50 and 40 lbs. respectively. Frequent mention is made of Mistress Troughton, and always in a fashion which proves that she knew her rights and meant to have them. She was evidently a person of distinction, as Lord Baltimore sends greeting to Leonard: "London,

23d November, 1642.—I pray you commend my kind respects to Mistress Troughton and thank her for mee for the letter she sent mee this year in answer to another which I sent to her laste year." Not a very rapid exchange of courtesies, but meaning something in those days. Women were now beginning to make themselves useful in the public service as keepers of ordinaries—a most important function at that time—and also as proprietors of ferries. The names of Mrs. Fenwick and the widow Beasley occur in this connection, the former receiving "200 lbs. of tobacco for her trouble in entertaining and setting people over the Ferry in a waft."

About this time the necessity for bridling the tongues of the women of the colony seems to have been imminent, since an act providing for the erection of a pillory and ducking-stools in every county in the province is now passed. Later on an exception is made in favor of Baltimore and Talbot Counties, not because the feminine element in these regions was less free with its speech, but "because they are not sufficiently settled." Some glimpses of the terrors to which our colonial wives and mothers were subjected may be gained from the orders in case of an attack by Indians, for the peaceable acquirement of the territory from the aborigines could not prevent all the consequences of contact with the whites, and these directions bear suggestions strongly in contrast with the purchase of the entire village of Yaocomico from the tribe then in possession, many of them continuing in occupation of their wigwams among the settlers until their corn should have been gathered in. The bulletin posted up on the fort read thus: "Upon the discharge of three guns, every householder shall answer it and every house-keeper inhabiting St. Michaels Hundred between St. Inegoes Creek and Trinity Creek shall immediately upon the knowledge thereof carry his women and children to St. Inegoes Fort, there to abide one month." These hostile Indians were usually strangers, as appears in the affecting memorial of Thomas Alcock, whose wife and child had been murdered by "sixteen strange Indians" who had appeared in the colony. He closes with the adjuration: "Since that blood cryeth to Heaven for vengeance, yr Petitioner hereby throweth

himself, together with the blood of his murdered wife and child att your feete, craving justice—which blood he humbly begs of the Just Judge of Heaven and earth, never to remove from your souls uor the souls of your childrens children until it be satisfied.”

The first will registered in the Provincial Court Record is that of a woman, Mistress Anne Smith; and while she did not have a great deal to dispose of, an extract from one only a little later may prove of interest. After the usual quaint preliminaries, “I leave to the Chancellor my square diamond ring, and to his wife my bracelets. To William Bogue my other diamond ring. To Mary Bogue my green tabby petticoat and my mourning gown—lined with silver lace—also four of my best smocks, and four of my best aprons—also the bed and bedding and other furniture in my Parlour Chamber. To Susan Herring two cloth petticoats, one smock, one apron, and also my serge safeguard. To John Bogue a lot of gold buttons for doublet, breeches and coat. To my negro Fflora my large petticoat and waste-coat that I wear every day. To my daughter Mary, my fur mantel in which she was wrapped at her birth—her father’s watch and mourning ring and all the rest and residue of my property.”

One of the most beautiful tributes ever paid, is given to a nameless heroine in the missionary letter of 1638: “A noble matron has just died (1638), who coming with the first settlers into the colouy, with more than womau’s courage bore all difficulties and inconveniences. She was given to much prayer, and most anxious for the salvation of her neighbors. A perfect example as well in herself as in her domestic concerns. She was fond of our society while living and a benefactor to it when dying. Of blessed memory with all for her notable example, especially of charity to the sick, as well as of other virtues.”

And next among others of such fleeting acquaintance, that we can only wish it greater, is Madame Elinor Hawley, the wife of Jerome Hawley, one of the two Commissioners who came out with Leonard Calvert, and whose sterling qualities challenged even the admiration of that sturdy figure in the colonial foreground, Captain Thomas Cornwallis. He writes to Lord Balti-

more in 1638 in regard to his coadjutor—who is accused of an undue bias toward the Virginia Plautation: "Well may the discharging of the office hee hath undertaken invite him sometimes to look toward Virginia but certainly not with prejudiee to Maryland from whens he receives the greatest comforts that the world affords him, both from sowle and bodie, the one from the church, the other from his wife, who by her comportment in these difficult affayres of her husband's hath manifested as much virtue and discretion as can be expected from the sex she ones whose industrious housewifery hath so adorned this desert, that should his discouragements force him to withdraw himself and hir, it would not a little eelipse the Glory of Maryland."

And our contact with Maryland women of this grouping would be imperfect indeed if it omitted the commanding figures of Mistresses Mary and Margaret Brent, two most important members of the Colony. Margaret requires far more room than we can here afford her, and it is possible to show how mistaken is the estimate commonly held of her conduct on many trying occasions. They enjoyed the firm friendship of Baltimore and the family, and attended the last hours of Leonard Calvert, Margaret receiving his nuueupative will, and administering on his estate. Their residence in St. Mary's was an establishment of great elegance. It was called St. Thomas, and the house erected on a portion of what was known as St. Mary's Forest, containing $70\frac{1}{2}$ acres, a special grant from Lord Baltimore to the sisters. It was surrounded by a beautiful grove of ancient oaks, and here these distinguished women dispensed a generous hospitality to the gentlefolk of their day and generation. That Margaret Brent should never have married when inferior women were so largely sought after, involves something of a mystery, which may perhaps gain a ray of light from the entry on the records of the Provincial Court in 1658, when she testifies that "Thomas White, lately deceased, out of the tender love and affection he bore the petitioner, intended if he had lived to have married her, and did by his last will and testament give unto the said petitioner his whole estate which he was possessed of in his life time." She conducted the Colony through a dangerous strait

with ability and patience, and we may leave to a more ample occasion the career of this remarkable woman.

The last figure in the group awaiting our recognition is Mary Taney, the wife of the Sheriff of Calvert County, who, taking sorely to heart the distressing condition of the Protestant population, wrote to the Archbishop of Canterbury the following letter:

“May it please your Grace, I am now to repeat, my request to your Grace for a church, in the place of Maryland where I live. Our want of a minister and the many blessings our Saviour designed us by them is a misery which I and a numerous family and many others in Maryland have groaned under. We do not question God’s care of us, but think your Grace and the Right Rev. your Bishops, the proper instrument of so great a blessing to us. We are not, I hope, so foreign to your jurisdiction but we may be owned your stray flock, however the Commission to ‘Go and baptise all nations’ is large enough. But I am sure we are, by a late custom on tobacco, sufficiently acknowledged subjects of the King of England and therefore, by his protection, not only our persons and estates, but of what is far more dear to us, our religion. I question not but that your Grace is sensible that without a temple it will be impracticable. Neither can we expect a minister to hold out, to ride ten miles in a morning and before he can dine ten more—and from house to house in hot weather, will dishearten a minister, if not kill him.

“Your Grace is so sensible of our sad condition and for your place and piety’s sake have so great an influence on our most Religious and Gracious King that if I had not your Grace’s promise to depend on, I could not question your Grace’s intercession. 500 or 600£ for a church with some small encouragement for a minister—will be extremely less charge than honor to His Majesty. Our church settled according to the Church of England, which is the sum of our request, will prove a nursery of religion and loyalty through the whole Province. But your Grace needs no argument from me, but only this: it is in your power to give us many opportunities to praise God for this and innumerable mercies, and to importune His goodness to bless

His Majesty with a long and prosperous reign over us, and long continue to your Grace the great blessing of being an instrument of good to His Church—and now, that I may be no more troublesome I humbly entreat your pardon to the well meant zeal of your Grace's most obedient servant.

Mary Taney."

There was also a petition, "To the Most Rev. the Arch-Bishop and the rest of the Bishops the humble petition of Mary Taney on behalf of herself and others, his Majesty's subjects, Inhabitants of the Province of Maryland."

These produced an appropriation from the King's private purse for the fulfillment of the wish of this courageous women, and the Rev. Paul Bertrand's passage was paid to Maryland from the Secret Service fund. There exists a report from this clergyman written in French addressed to the Bishop of London, and printed in the *Maryland Archives*, Vol. VIII.

With these simple Chronicles of the lovely housewife Elinor Hawley, the brave Stateswoman Margaret Brent, and the devoutly missionary-spirited Mary Taney, we take our leave for the present of the Women in the Colony of Maryland.

CORRESPONDENCE OF GOVERNOR EDEN.

[In the March and June Nos. of this *Magazine* we reproduced the letters following the break in the Correspondence and dealing with the outbreak of the Revolution. We now print the earlier letters.]

III.

EDEN TO LORD HILLSBOROUGH.

Annapolis, Maryland.

21st June 1769.

My Lord.

I have the Honor of informing your Lordship, that I arrived here the 5th Inst. and the next day assumed the Reins of Government.

Finding on my Arrival, that the Burgesses of Virginia had repeated their former Resolves, assertory of their Claim, and had been, in Consequence thereof, dissolved by Lord Botetourt, an Account of which has been transmitted to your Lordship, I had great Reason to apprehend, should our Assembly meet at the Period of their last Prorogation, that, influenced by the zeal and Example of their Neighbours, animated by their Ideas of Liberty, and perhaps engaged by an opinion of their honorable Connexion with Virginia, they might also proceed to repeat their Resolves, in which Case, I should be driven to the Necessity of dissolving the Assembly, a measure I am very averse from, especially in the Beginning of my Administration ; By the Advice therefore of the Council of State whom I summoned on this Occasion, to whom I stated in Writing whatever occurred to me relative thereto, I have issued a Proclamation further proroguing the Assembly to Tuesday the 14th Nov^r. And hope that their Passions against that Period, may as well as the Weather, be cooler than they are at present, though I beg leave to assure your Lordship, they are not

so violent as I expected, from some Accounts I had heard of them.

I hope this measure may be approved of by his Majesty and his Ministers, especially your Lordship, in whose Department the Colonies are. No ill Effect can arise from it, as there are no Bills which will expire before the Time fixed for the Assemblys Meeting; and to have met sooner, would not have been more convenient to the Planters, for though their Corn Harvest is generally over before the middle of July, yet as the Tobacco and sowing seasons would have interfered, a Prorogation in the middle of the Sessions would have been necessary on that Account, had nothing else required it.

Another Reason for deferring it had great Weight with me, which was the Hopes of receiving by the Return of Lord Boteourt's Express (sent to England with the Account of the Virginia Proceedings) some Instruction from your Lordship, or at least Lights to guide my Conduct on similar occasions.

I have the Honor to subscribe myself,

My Lord, Your Lordships most obedient
& very humble Servant

Rob^t. Eden, Gov^r. of Maryland.

Earl of Hillsborough.

EDEN TO HILLSBOROUGH.

Annapolis, Maryland.

Friday, 23^d. June 1769.

My Lord.

That I may not lie under the Imputation of neglecting to give your Lordship the earliest Information of any important Occurrence in this Province, I inclose your Lordship a Copy of the Resolves of a self-summoned Committee from most of the Counties in Maryland. They met at a publick House in this Town, on the 20th Inst. and the two following Days, and could hardly agree among themselves what Articles should, or should not, be made use of, imported from England. I was in hopes that from the Dissentions among them, the meeting would have come to nothing,

or I should have taken Notice of it, in my Letter to your Lordship of the 21st Inst. Though several of the Deputies were members of our lower House of Assembly, yet as their Meeting could only be looked upon as a private one, I could not possibly interfere, and am really of Opinion it will lose its Consequence by not being taken Notice of. Among the enumerated Articles in the enclosed List, there are many they cannot possibly do without, and as soon as Necessity breaks through one Article, Interest and Convenience will soon set aside the others.

As the whole of this has been treated by me as a private Transaction (which as Gov^r I was unconcerned in) I submit to your Lordship's superior Judgement, whether you will take any Notice (officially) of having received this Information from me.

Without his Majestys express orders for that Purpose, signified to me by your Lordship, or Instructions from the Lord Proprietary, I shall not, at the meeting of the Assembly, make mention of this Convention; Taking Notice of it would probably induce them to repeat their Resolves, when legally assembled; and I am in hopes they will now rest contented, and the Sessions go off peaceably. I am

With great Respect, and Esteem, My Lord,
Your most obed^t & very humble Servant

Robert Eden.

Earl of Hillsborough.

This Letter encloses :—

Resolutions of Merchants &c. of Maryland, 22 June 1769 (Printed).

EDEN TO HILLSBOROUGH.

Annapolis 14th Aug^t 1769.

My Lord.

I have the Honor of acknowledging the Receipt of your Lordship's Circular Letter, N^o 14, and of assuring you, that the Intentions of His Majestys present Administration, of proposing to Parliament to take off the Duties granted on Paper Glass and Colours, have given very great Satisfaction in this Province, and

will, I hope, be an happy Beginning of the much desired Reconciliation of Great Britain with her Colonies.

His Majesty may rely on my Fidelity in exerting myself at all Times to the utmost of my Abilities, not only in supporting His Measures, but also in endeavouring to explain His gracious Intentions in such a manner, as may best contribute to remove any Prejudices excited against His Administration, by the Misrepresentations of the Enemies to the Glory of the British Empire, which so greatly depends upon the Re-establishment of a mutual Confidence and Affection throughout His Majestys Dominions. I have the Honor to be, with great Truth and Respect,

My Lord

Your Lordships most obedient
and very humble Servant

Robert Eden.

POWNALL TO EDEN.

Whitehall, 6th Sept: 1769.

Deputy Governor of Maryland.

Sir,

In the Absence of Lord Hillsborough, who is in Ireland, it is my duty to acquaint you that your Lettters N^o 1 & 2 have been received, and laid before the King.

I have no doubt that the reasons you assign for having prorogued the Assembly 'till the 14th of November, will be approved, as you say that such Prorogation will not be attended with any obstruction to the public business; for you will collect, from the orders which have been given for calling a new Assembly in Virginia, in consequence of the Dissolution of it on the 17th of May, that it is not wished that the Governors of His Majesty's Colonies should have recourse to that extremity of their Authority, in cases where it may be avoided, without sacrificing the honor and Dignity of Government.

Your not taking any notice of the Meeting and Association of

the Merchants seems to have been as prudent, as your remarks upon the Effect of it are just and sensible.

I am &c.

J. Pownall.

HILLSBOROUGH TO EDEN.

Whitehall, Nov^r 4th 1769.

Dep. Governor of Maryland
Sir.

Since the receipt of your letters N^o 1 and 2, which were acknowledged by M^r Pownall, your dispatch N^o 3 is also come to hand and has been laid before the King.

It has given the King great satisfaction to find, that the sentiments and resolutions of His Majesty's Administration, in respect to the Revenue Laws, have met with so much candour and justice in the colony under your government; and His Majesty, at the same time that He graciously approves your past conduct, has the fullest reliance on your fidelity in exerting your best endeavours to support the measures of His Government, and convince His faithfull Subjects in Maryland of His Royal Wish to promote their true Interest and Prosperity.

I am &c.

Hillsborough.

EDEN TO HILLSBOROUGH.

Annapolis 23rd Nov^r 1769.

My Lord

I have the Honor of informing you that the Session of Assembly was opened on Friday last the 17th Instant, contrary Winds having prevented a sufficient Number of Members meeting on the Tuesday before, to which Day they stood Prorogued by Proclamation. Your Lordship will see by the Addresses from each House in Answer to my Speech, all of which are inclosed, that there is a pleasing Appearance of Harmony here. I communicated the

Intentions of the Ministry to the Province, by the Channel of the Gazette, immediately after I received an Account thereof from your Lordship, and shall shortly repeat it by a message to the Lower House, if thought necessary by the Council. By their Advice I did not touch upon it in my speech, having great Reason to apprehend that some of them would express their Dissatisfaction at any Part of the late Revenue Act remaining unrepealed. They say, that whilst the Duty upon Tea continues, it may serve as a precedent for laying others: if six pence p^r lb. at home was reserved from the drawback insted of three pence collected here, their minds would be relieved from the Apprehensions they are under on that Account. Your Lordship may depend upon my taking the greatest Pains to confirm them in the Belief of your Assurances, "that it never was the Design of His Majesty's present Administration to lay any further Duties for the purpose of raising a Revenue in America." On the whole I think I may venture to assure your Lordship, that we may shortly expect an End of Our Troubles in this Part of the World; Tranquillity seems to be returning. Lord Botetourt has the same pleasing Prospect before him; is very much liked in Virginia, and has great Reason to expect that the session which was opened on Tuesday the 7th Instant, will be got over smoothly. I am

With the greatest Respect
and Esteem

My Lord
Your most obedient
and very humble Servant

Robert Eden
Gov^r of Maryland.

This letter encloses :—

Maryland Gazette, N^o 1263, 23 November 1769.

HILLSBOROUGH TO EDEN.

Whitchall February 17th 1770

Deputy Governor }
 of Maryland. }

Sir.

I have received, and laid before the King, your dispatch of the 23^d of November last, inclosing your Speech to the upper and lower Houses of Assembly at the opening of the Session on the 17th of that month, and their Addresses to you in Answer thereto.

The Temper and Moderation they have shewn on this occasion carry with them (as you justly observe) a pleasing Appearance of Harmony, and induce a Confidence in His Majesty in the Hope you entertain of soon seeing an end of the troubles which have so long disturbed the Peace of that part of His Majesty's Dominions, and that public Tranquillity will be restored.

But, whatever may be the Event, your Conduct stands distinguished by a Prudence and Discretion that will always do you Honour, and cannot fail of recommending you to His Majesty's Favor.

As it is necessary that the King should be duly informed of all Acts and Proceedings of Government in all His Majesty's Colonies in America, I am commanded to desire you will punctually transmit to me, to be laid before His Majesty, as well as the Journals and Proceedings of every Meeting of the General Assembly of the Colony of Maryland, as Copies of the Laws enacted by such Assembly; and I am to acquaint you that those which have been already sent are not continued down lower than to the year 1763.

In Consequence of the death of Mr Yorke a few days after he received the Great Seal, His Majesty has thought fit to commit the Custody of it for the present to Commissioners; and the Duke of Grafton having been permitted by His Majesty to retire from the Treasury Board, Lord North is become in consequence thereof first Commissioner of that Board.

I am &c &

Hillsborough.

EDEN TO HILLSBOROUGH.

Annapolis February 21st 1770

My Lord.

From my situation here, as Governor of this Province, it is incumbent upon me to give your Lordship immediate Information of a late Transaction of a Committee of the Associaters here, relative to the Brig *Good Intent*, William Errington chartered by John Buchanan, Merchant in London, with Goods to sundry Merchants here.

Previous to the Arrival of the above Brig, Mess^{rs} Dick & Stewart, Merchants in this City, and Attorneys in fact for M^r Buchanan, gave Notice in our Gazette, that such a Vessel was expected, and that no Goods should be landed for Twelve Days after her Arrival, in Order to allow a free Inspection of her Papers &c. for which Advertisement, I refer your Lordship to the inclosed Gazette of the 25th Jan^{ry}

In consequence of this Advertisement, very soon after the vessel arrived, four Commissioners, from each of the Three Counties principally interested in the Importation, met here, for whose Resolves (in Consequence whereof the Brig returns to England) I also refer your Lordship to the other enclosed Gazette of the 15th Instant.

I think, My Lord, I can venture to assure you, that this step of the Committee far from being the General sense of the Province, has not been attended with the Approbation they expected. The Merchants concerned, from their situation, were obliged to comply with the Determination of a Committee, whose Election perhaps was partial and hasty; whose Resolution was not unanimous, and which I really believe the most violent of them, are now sorry they entered into, although they are ashamed to recant.

I can give your Lordship but little Information of their proceedings, except from the enclosed Prints; they were so close as never to allow more than one of the Merchants concerned to attend them at one Time.

As soon as the Issue of their Deliberations was made Public, I endeavored, as my Duty to my Sovereign and the Colony required, to persuade them to reconsider the matter, and I for that purpose laid before some of them Extracts of your Lordships two last Letters to me, but could not convince them of the impropriety of their Conduct on this Occasion, when they have the greatest Reason to expect that the Act they complain of as a Grievance is already, or shortly will be repealed.

The Arguments had no Effect, and the Brig sails to-morrow for England, liable to be seized in the first English Port she enters, for carrying back India Goods, and other Things contrary to the Condition of the Bonds given on Shipping them ; liable also to Actions on every Bill of Lading, given by the Captain, who could act no otherwise than he has done, any more than the Merchants concerned.

I will just beg leave to observe, that Mr. Buchannan signed the City Address, which gave great Offence to many of his Employers here. How far that may have contributed towards the virulence of this Proceeding, I will not take upon me to determine, although the Committee calls this a premeditated Design to subvert the Association.

The Collector and Surveyor of this Port, Mess^{rs} Calvert and Eddis, have wrote fully on this Head to the Commissioners of the Customs in London, who probably will apply to your Lordship for your Directions how to Act with respect to the Vessel. I can only say, My Lord, that the Captain was obliged to Act as he has done, and that, as neither He, nor his Employer are to blame, the Compulsion upon them will, I hope entitle them to some Indulgence.

I will send your Lordship the Pamphlet advertised at the Bottom of the above Account, as soon as it come out.

I have the Honor to be, With the greatest Respect,
My Lord

Your Lordships most obedient and very humble Servant
Rob^t Eden

Gov^r of Maryland.

The Earl of Hillsborough

HILLSBOROUGH TO EDEN.

Whitehall, June 12th 1770Lieut. Gov^r Eden.

Sir

The Proceedings of the Committees of three Counties in Maryland in respect to the Brig *Good Intent* from London, as related in your Letter N^o 5, which I have laid before the King, are indeed of a very atrocious and unwarrantable nature; and though it is not in my power on this occasion to do more than lament the Want of sufficient Authority and Vigour in your Government to suppress and punish such illegal Acts, yet I think fit to observe to you, that it is a Circumstance which does (I apprehend) very materially affect the Interests of the Lord Proprietor, who is undoubtedly responsible for the due Exertion of those Powers of Government vested in him by his Charter.

I am &c &c

Hillsborough.

EDEN TO HILLSBOROUGH.

My Lord.

I have the Honor of inclosing to your Lordship, the Pamphlet containiug the Proceedings of the Committee which sent home the Brigantine, as also two Gazettes, containing the different Opinions of some Members of the Committee, with respect to their Proceedings, which have not met with the General Approbation the sanguine ones expected. From what I can observe, I do not imagine that the taking off the Duties on Glass, Paper, and Colours will put an end to the Association, while the Duty on Tea continues; although there are some here desirous of ending it, and Associating not to import Tea; amongst whom, I have heard is M^r West, principal Author of this Pamphlet. The General Voice is, that it will stand as a Precedent for laying Duties in America on some future occasion. I have endeavored

to convince the reasonable People, that the Act laying the Three Pence on Tea, can only serve as a Precedent for any future Act that may operate in the same manner it does, which is as a Relief, the 25 p Cent drawback exceeding the Duty, Tea being now much cheaper than it was before that was laid on, And that we ought not at any Rate to complain of an Act that was Beneficial to us, as this is. But this Argument has not the Weight I could wish; I am pretty certain that the laying six pence in England, or keeping back the Seven Pence Half Penny, and taking off the Three Pence here, would Answer the wishes of the Americans entirely.

Your Lordships Letter (N^o 17) gave me the greatest Satisfaction, as it confirmed to my Conduct the Approbation of His Majesty, and His Ministers, which your Lordship may be Assured I shall use my utmost endeavors to merit a Continuance of. By the first Vessel from this Port, I will send your Lordship the Votes and Proceedings since the year 1763, with the Copies of the Laws since then enacted.

Our General Assembly at present stands prorogued to the 7th August. Without particular Orders I shall hardly meet them then, the middle of September being a more convenient Season, at which Time we must meet that the Inspection Law may not expire.

By a Vessel which left Lisbon the 25th April, we learn, that the Packet from London thither in six Days, brought an Account of the Parliament being up, and a partial Repeal of the Revenue Act, the Duty on Tea still remaining.

The Assembly of this Province will be dissolved of Course at the end of the next Sessions.

I have the Honor to subscribe myself,
With the greatest Regard
Your Lordships most Obedient
and very humble servant

Rob^t Eden.

NB.—Your Lordship will be pleased to let one of your Clerks number this, as by Absence of my Secretary I am unable to get at the Book, in which my Letters to your Lordship are Entered and Numbered, before the Post goes out.

EDEN TO HILLSBOROUGH.

Annapolis 7th August 1770.

My Lord.

I have had the Honor of receiving your Lordships Letter N^o 17, which gave me the greatest Satisfaction, as it conveyed to me His Majesty's Gracious Opinion of the Temper and Moderation shewn by the Maryland Assembly this last Session, and His Approbation of my past Conduct, which it shall ever be my earnest Endeavor to merit a Continuance of. Should His Majesty, from Your Lordships Recommendation be at any Time graciously pleased to honor me with a Lieutenant Colonel's Brevet, I should be bound ever to consider it as the highest Favor. I served His Majesty fourteen years, and was abroad most part of the late War, and my Predecessor without a superior Claim obtained the Rank I now solicit.

Herewith I have the Honor of transmitting to your Lordship the Proceedings of the General Assembly since my arrival with Copies of the Laws enacted the last year. Against the next Vessel sails I will collect and transmit to your Lordship the Journals required since 1763, and the Copies also of the Laws enacted during that Period, and shall take care that they are more punctually sent for the future. I have the Honor to be | With the greatest Respect

My Lord | Your Lordships most obedient
and obliged humble servant

Rob^t Eden.

The Earl of Hillsborough.

EDEN TO HILLSBOROUGH.

Annapolis, August 19th 1770

My Lord.

I have the Honor of your Lordship's Letter of the 12th June Ult^o on the Subject of mine of the 25th February respecting the

proceedings of the Committee on the Arrival of the Brigantine *Good Intent* from London.

Permit me again to Observe to your Lordship that Mess^{rs} Dick & Stewart, Consignees and Importers of Goods in this Vessel, and the Agents and Attornies of M^r John Buchannan, Merchant in London, the Owner or rather the Employer of the Brig, by their Advertisement in the Maryland Gazette solicited as a favor that a Committee from the Three Counties Concerned would meet at Annapolis for the very purpose of having a full and strict Examination made whether the Goods had been shipped contrary to, and with an Intention to counteract the General Association of the Traders and other Inhabitants of the Province.

The Determination of the Committee thus convened in Consequence of the Solicitation thus publickly and earnestly communicated was, (I believe) contrary to the Expectation of the Importers and Agents of M^r Buchannan, and I informed your Lordship of the steps I took to prevent that Determination. The only steps, as far as I am able to judge that I cou'd take with Propriety. The Importers and Agents submitted. They had their Reasons. They chose rather to make an immediate sacrifice of their Interest, than not stand fair in Opinion of Those on whose Esteem their Success in Business depended. No Complaint or Application was made to myself or any other Person in Office of Injury or for Protection, from the Merchants, or from His Majesty's Custom House Officers. No Disorder or Outrage was Committed or even threatened. It is, My Lord, my earnest Desire, my Determined Resolution to do my Duty. It ever has been My Lord, and when I fail in it, I shall have the excuse of being mistaken; but that I wish to avoid, and therefore to know how it was in my Power or would have been in the Power of any Governor in America whether of a Royal or Proprietary Province, to hinder the Importers of Goods from reshipping them, to prevent their Acquiescence under the Decision of a Committee they called for themselves and appealed to. They had their motives such as were natural to men in their Circumstaunces, such as the Authority of no Government could control.

Associations have been formed, Committees have been appointed to examine the Conduct of those who have engaged in them, and Goods imported into America, have been reshipped; But, My Lord, these Circumstances are not peculiar to Maryland, and are therefore, your Lordship must allow me to remark, no Indications that the Authority or Vigor of Government is less influential here than in the Provinces to the Northward or Southward; They only prove My Lord, that Maryland has not been so happy as to escape the Flame of Discount which has overspread the other Colonies.

It is no small mortification to me that your Lordship should think the measure adopted by the Merchants of remitting the Vessel and Goods to London to have been owing to any particular want of Vigor in my Government. How soon there may be a similar Occurrence I cannot foresee, nor consequently how soon I may again be obnoxious to the Censure of not exercising the Powers with which I am vested; for to myself I must take the Censure of want of Vigor, and not seek for Excuse in the Incompetency of my Official Authorities, should the Laws be violated, and Redress be withheld from those who are entitled to it.

Had your Lordship been pleased to point out in what manner Government ought to have interposed, I should more clearly see, by comparing my Conduct with Your Lordships Sentiments, wherein I failed in point of Duty, and be prepared to guard against the Appearance of Remissness upon any future similar Occasion.

It is not, at least I think it is not, in my Power to do more than lament that the unhappy Differences subsisting between Great Britain and her Colonies are not at an end, which I fear the partial Repeal of the Revenue Act has not effected. That they may soon subside, is, My Lord, the sincere Wish of

Your Lordships

most obedient

and very humble Servant

Rob^t Eden.

HILLSBOROUGH TO EDEN.

Whitehall, Oct^r 3^d 1770.Dep^y Gov^r Eden.

Sir.

The last New York Packet brought me a Dispatch from you without any date, which I have laid before the King.

As your letter appears to have been written before the Resolution taken by the Merchants of New York to break through their non-importation agreement had come to your knowledge, I am hopeful that the influence of that Event will so far extend itself over the neighbouring Colonies, that in your next Dispatch you will authorize me to expect the speedy return of the good people of Maryland to their duty, and the pursuit of their own interests, and that they will resolve to be no longer guided by, or made subservient to the factious purposes of the enemies of their happiness and prosperity.

In the meantime, and until this desirable Event shall happen, it will be your duty to persevere in your commendable endeavours for removing the prejudice so unjustly and unfortunately entertained of the dispositions of Government towards the Colonies; and to watch over and guard against with your usual attention, every proceeding which may have a tendency to obstruct the return of confidence and harmony between the King's Subjects on both sides the water, whose interests and well being are so intimately connected, and whose happiness it is so much His Majesty's Royal purpose and endeavour to promote.

I am &c.

Hillsborough.

HILLSBOROUGH TO EDEN.

Whitehall Nov^r 15th 1770Dep^y Gov^r Eden.

Sir.

I have received and laid before the King your Dispatches N^o 7 and 8.

I have no doubt of your earnest Endeavours to merit a Continuance of that Approbation of your Conduct which I have repeatedly received His Majesty's Commands to signify to you, and I am very sorry that the Expressions in my letter N^o 18, which were meant to refer to those subordinate Magistrates and Officers of Government, whose Duty it is to protect the Subject from Violence and Oppression, should have been considered by you as conveying any Censure of your personal Conduct.

I shall be very glad upon all Occasions of being of any use to you in matters within my Department, but the Military Rank, which in your letter N^o 7 you express a Wish to be honor'd with, does not depend upon me, and must be solicited thro' some other Channel.

Some of the Laws which you have transmitted to me seem to be of such a Nature as to require very mature Consideration, and I shall not fail to take such steps thereupon as are necessary, and have been usual in such Cases.

I am &c.

Hillsborough.

EDEN TO HILLSBOROUGH.

Annapolis 4th April 1771.

My Lord.

I have the Honor to acknowledge the Receipt of your Lordships circular Letter of the 11th December on the Subject of which I have also received a Letter from General Gage, and I assure your Lordship I will do all in my Power to give Efficacy

and Dispatch to recruiting and compleating His Majesty's Forces in America, as soon as the Officers ordered to Maryland on that Service arrive here.

By this Opportunity I transmit to your Lordship the Votes & Proceedings of Our two last Sessions, together with the Laws then past. I cannot boast of great Harmony having subsisted amongst us during these two Sessions. The Reduction of the Officers Fees, and Clergymen's Salaries in the New Inspection Law, was an unsurmountable Stumbling Block to the passing the same, which the Upper House could not possibly consent to, nor even bring on a Conference thereon.

The Address to me which your Lordship will see, in Consequence of my putting an End to the Septem^r Sessions by Prorogation on the 2nd November was probably intended as the Commencement of an Altercation in hopes of drawing on a Dissolution, which I took care to avoid, by keeping back my Answer thereto, which I did not send to the Speaker, till the Inspection Law was sent down with a Negative, and I had determined to put an End to the Session the next day.

The Receipt also of your Lordships Circular Letter of the 15th Nov^r enelosing an Extraet from S^r William Johnsons Letter to your Lordship and Conoquiesous Talk to him, I am bound to acknowledge, and am sensible of His Majesty's most gracious Consideration for the Benefit of the Colonies in leaving to them the Settlement of the Indian Trade.

This Province, My Lord, is undoubtedly equally bound with the others to acknowledge His Majesty's Paternal Goodness on this and on all Occasions, but has very little to do with the Indian Trade, being surrounded by Virginia, Pennsylvania, M^r Penn's late Purchase from the Indians, and the Outlaws or Runaways on Redstone, who are included in the New Grant; nevertheless if our sending Commissioners to meet those of the other Colonies can at all contribute to settling this matter on a permanent Foundation, and establishing tranquillity on the Frontiers of His Majesty's American Dominions, be assured, My Lord, I will in the strongest manner exhort the Assembly to take the same into

Consideration, and to make the necessary Provision for defraying the Expences thereof.

I have also Received your Lordships Letter N^o 20 and am happy in the Assurances it contains that however hasty and blameable the Conduct of some here was with Respect to the sending Home the Brig *Good Intent*, mine is not considered as meriting the Censure, which I was apprehensive Your Lordships Letter N^o 18 conveyed. Your Lordship does me great Honor, in assuring me of your Friendship in all matters within your Department, which I hope to merit a Continuance of. As to advancing in the Military, the Loss of my much esteemed Friend Lord Granby makes that now indifferent to me, further than my Desire of so far continuing in His Majesty's Service, as to be able, in case of a new War, to promote the same to the utmost of my little Abilities and Experience in the last, which I can only be enabled to do by an addition of Rank, should my Assistance be required out of the Province I preside over.

I have the Honor to be | My Lord
With great Respect,
Your Lordships most obedient and Obligated
humble Servant,

Rob^t. Eden.

JUDGE THOMAS JONES OF PATAPSCO NECK.

BASIL SOLLERS.

The record of births, deaths and marriages of St. Margaret's, Westminster Parish, begins as follows :—

“Philip Jones Clk of Westminster Parish was born on the 29th Sept. in the year of our Lord 1673. Philip Jones.”

In the Proceedings of the Council of Maryland (*Arch.*, Vol. XXIII, p. 17) under date October 23, 1696, appears “an account of the several Parishes within this Province (according as they were by act laid out) together with the bounds of the same, the names of the Vestrymen and the number of Tithables within each Parish.” In this account the parishes of Anne Arundel County are named as Herring Creek, South River, Middle Neck and Broad Neck, and the last is described as situated on the north side of Severn River, including Town Neck and Broad Neck Hundreds. The taxables of this parish, which its clerk designates as Westminster Parish, were 223. Among the Vestry is found the name of Mr. George Eager. The adjoining Parish on the north was Patapsco (St. Paul's) Parish in Baltimore County. The boundary between Anne Arundel County and Baltimore County as ascertained about this time may be briefly described as beginning at Bodkin Creek and following the height of land which separates the water flowing into the Magothy River from those flowing into the Patapsco.

Philip Jones and Mary Rowles were married the third of January, 1700. Philip Jones, the first son of Philip Jones and Mary, his wife, was born the 16th of October, 1701. A daughter, Hannah, was born in 1705, and Mrs. Mary Jones, the wife of Capt. Philip Jones, died in 1717. Capt. Philip Jones took for his second wife Haunah Rattenbury in 1719, who died after giving birth to a son, Johu, in 1720.

Commissions of the Peace for Anne Arundel County were issued to Philip Jones the elder from 1732 to 1743. Philip Jones, Jr., served in the same capacity for Baltimore County from 1731 to 1736.

Capt. Philip Jones departed this life the tenth day of March, 1753.

The *Maryland Gazette* has the following notice:

"On Saturday last died at his plantation on the north side of Severn Capt. Philip Jones in the 80th year of his age. He was for many years in the commission of the peace. From the natural mildness of his temper, he was a good master to those under him, and was so strict a Predestinarian, that upon any sickness attacking himself or family, he had no confidence in human aid, asserting that every man was destined at a certain time to die, of consequence never would apply to a physician. (Quere, whether this odd whim did not contribute to lengthen his years to four-score.)"

Philip Jones was married May 29, 1723, to Jemima Eager, widow of John Eager, son of George Eager, before mentioned vestryman of St. Margaret's. Before her first marriage Jemima Eager was Jemima Murray.¹ When Philip Jones, Jr., married the widow Eager, she had two minor children, George and Ruth Eager. Ruth became the wife of Cornelius Howard and the mother of John Eager Howard. Jemima Jones, wife of Philip Jones, Jr., died in 1725, shortly after the birth of their second

¹ Thomas Morgan of Balt. Co., Gent., mentions in his will, 1697, his daughter Jemima Morray, to whom he leaves "a piece of silver called a shilling;" and James Morray of Patapsco Neck mentions in his will, 1704, four minor sons, the second Morgan Morray, and his wife Jemima Morray. His widow is sole executrix, and Richard and Thomas Cromwell are appointed trustees, but "if they should die before my children come of age, I leave it to the care of West River meeting." The personal estate was to be equally divided among his children as they came of age, but no children are mentioned except the four sons to whom real estate is left. The adm. acc. of March 2, 1707, are made by Thomas Cromwell, who married Jemima, the relict and executrix of James Murray. Was this Jemima mother of Jemima Murray Eager Jones?

daughter. October 2, 1727, Philip Jones, Jr., married Ann Rattenbury, daughter of Dr. John Rattenbury the elder and his wife Margaret (Besson), who was daughter of Thomas Besson, Jr., and his wife Margaret (Saughier).

The children of Philip and Ann Jones were numerous. The first, Henrietta Maria, born August 18, 1728, who married Nicholas Rogers the younger, and Thomas, born March 12, 1735, the subject of this sketch, are the only ones that I need mention in this connection.

Philip Jones, Jr., was for a number of years in commission of the peace for Baltimore County. He was also deputy surveyor for that county. Griffith, in his *Annals of Baltimore*, says: "On the 12th of January, 1730, new style, assisted by Mr. Philip Jones, the county surveyor, the commissioners laid off the town." Philip Jones died in 1762. Cornelius Howard writes to Philip's son Thomas: "I have received two letters from you lately, the first was an Invitation to the funeral of your worthy father, my long experienced good friend, whose death I am heartily sorry for and do join in condolation with your mother and all his family for the loss of him. In your last by my wife you mention a lease, &c." The remainder of the letter relates to business matters concerning land, especially Todd's Range, and concludes: "Mr. Orrick has his surveying instruments. You will find among your father's papers a copy of Todd's range which he took from that I had from the office. Please to give my kind love to your mother and all the family."

Thomas Jones was born March 12, 1735. His education was completed, it is thought, at the school of the Rev. Thomas Craddock of St. Thomas' Parish, Baltimore County. In the list of subscribers to "a new version of the Psalms of David by Thomas Craddock, Annapolis, 1746," are found the names of Philip Jones and Thomas Jones. With whom he read law I have not been able to ascertain. In the March session, 1757, of the Baltimore County Court is found this entry: "On motiou Mr. Thomas Jones is admitted as attorney of this court and thereupon the said Jones takes the oaths to the government, repeats and signs the test and oath of abjuration and takes the oath that he wou'd well and truly

discharge the duty of attorney of this court." At the November session in the same year, Benjamin Rumsey, Gentleman, his future associate on the bench and life-long friend, is admitted attorney. I find the name of Thomas Jones on the records of Baltimore County Courts as attorney—at first principally for his father. November session, 1759, he appeared as attorney for the plaintiff in an interesting case in which Sabritt Sollers sues Amos Holbrook for violation of an indenture to serve two years. The verdict of the jury was for the plaintiff.

In 1758, Nicholas Rogers of Baltimore County, merchant, husband of his sister Henrietta Maria, named in his will his brother-in-law, Thomas Jones, sole executor.

There is still in existence a home-made book in the handwriting of Thomas Jones, in which he has entered the fees received by him for drawing deeds, conveyances, powers of attorney, &c., and for giving advice. His fees range from 10s. to £3, 10s., the greater number being 15s. or £1. His charge to David Brown for drawing a will was £1. 7s. 6d., and he notes in parenthesis received 14½ lbs. coffee. The book represents office practice only from 1768 to 1773. His most prosperous year in this respect was 1771, when his fees for the year aggregated £42. 8s. 9d.²

W. Young, Deputy Commissary of Baltimore, died in the latter part of November, 1772, and Thomas Jones succeeded to that office early in December of the same year. The following letter refers to this matter :

² Among his clients were : Richard Moale, Dr. John Stevenson, Arch^d Buchanan, Anthony Barriere, Capt. Chas. Ridgely, H. Dorsey Gough, Esq., Dr. Henry Stevenson, Ferdinando Battee, Benjamin Howard, M. M. Mordecai, the Kingsbury Company, Thomas Cradock, Robert Purviance, Henry Thompson. Barnet Eichelberger, S. J. White, Dan'l Chamier, Esq., Andrew Stigar, Joshua Dorsey, Capt. Charles Wells, James Chambers, Walliam Harris, William Hammond, Geo. Lindenberger, Jacob Myers, Alex^r McLure, Will^m Hunt, Thomas Hammond, William Sinclair, William Goodwin, Henry Moore, Thos. Ewing, Yocum Yacon, Thos. L. Lansdale, Geo. Moncrief, John McLure, Thos. Worthington, Richard Parkins, James McCallister, Jonathan Plowman, Thos. Philpot, William Buchanan, Thomas Johnson son of W^m, Buchanan Smith, Sam'l Owings, Nathan Smith, John Perrigo, Capt. Geo. Woolsey, Mord^e Pricc, James Bosley, Capt. Robert Clark, Hercules Courtney, Thos. Gass. Howard, Josias Bowen, W^m Jennings, W^m Morris, Sam'l Todd, J. R. Holliday, T. Russell, John McFaden, W^m Spear.

"Dear Sir,

"I am very glad you happen'd to write to me ; for some very extraordinary applications have been made for your office. The particulars I shall relate to you hereafter. Your commission is made out & I have desired Mr. Valette who interested himself in your affair, & communicated to me an attempt to disappoint you to send this letter with your commission.

"I am very faithfully & sincerely

"Yours

"Dan'l Dulany.

"25th Sept. 1773."

The papers in the possession of that part of the family of Thomas Jones, to whom the home plantation descended, have extremely little to say in regard to matters connected with the War of Independence. His journal, to which I shall refer later, is primarily a farm journal. The following entries are made rather as possibly concerning his farming operations than as events in the great struggle—except the last :

- "1781—Mar. 14. Two British ships came up to the bay to Poole's Island.
- Mar. 16. The ships went down with 5 Prizes.
- Mar. 17. Two Privateer schooners came up the Bay to P. Island.
- Mar. 18. Privateers took a boat in Gunpowder river.
- Mar. 22. Part of my family moved to town. Privateers returned with three prizes.
- April 3. Four of my negroes went off last night to the British.
- April 10. My negroes br^{ot} home from Queens Town goal.
- April 22. Three ships and 2 Briggs in the Bay opposite Patapsco River.
- April 23. Mov'd my cattle and sheep.
- April 26. Ships & Briggs went down the bay.
- April 28. Mov'd my Cattle & Sheep home from J. Baxter.
- Oct. 19. *L^d Cornwallis surrendered.*"

The above and a few entries, such as "paid 1000 Dollars for a pair of breeches," "sold A. Stigar 3 calves for 1500 Dollars," are the only signs of extraordinary times to be found upon the journal.

Upon examining such references to Thomas Jones as I find upon record, I am inclined to think that he was useful to the cause of America in ways that require quiet and careful attention rather than in more warlike paths. At the special meeting of the Committee for Baltimore Town, July 13, 1775, when James Christie was summoned, and being confined to his bed was unable to attend, Messrs. James Calhoun, Wm. Buchanan, Thos. Harrison, Thos. Jones, Will^m Goodwin and Isaac Vanbibber were sent to wait on him at his house and inquire whether the letter which formed the matter of accusation against him was written by him.

Geo. Woolsey, writing to the Council May 6, 1776, says: "tho you seem to think by what you say in your letter, that I have not laid out the public money properly, if I had been one of those kind of men, Mr. Thos. Jones of this town, would not have given me a letter to any friend he had, and that time I contracted with you he gave me a few lines to Dan'l of St. Thomas Jenifer your president." May 25, 1776, a commission was issued to Thomas Jones as 2nd Major in the Baltimore Town Battalion of Militia. July 18, 1776, Nathaniel Smith writes to Charles Carroll, Barrister: "Major Jones applied to me to know what the militia is to do for catridges in case of an attack, as the regulars took away the greater part of the catridges when they left. He would be glad to know whether the council of safety would allow Major Jones or himself to employ careful hands (on account of the Province) to make a number of catridges for the small arms." November 22, 1776, Jonathan Hudson and Thomas Jones write from Baltimore to the council offering to exchange a quantity of good lead for a quantity of Bristol shot pound for pound. April 11, 1777, Thomas Jones and James Calhoun, Esquires, of Baltimore Town, are requested to view the house of Geo. Lindemberger, occupied as a Laboratory and Guard House at that place, and ascertain the reasonable rent of the same; also certify what damage has been done the same house while in public service.

The *Maryland Gazette* of April 29, 1777, announces that Thomas Jones, Esq., is appointed register of wills for Baltimore County. As he was deputy commissary under the old government, this was little more than a continuance in the same office, under a different name. The first entry of the proceedings of the Orphans' Court of Baltimore is in the beautiful hand of Thos. Jones :

“Maryland. Balt. Town, Aug. 12, 1777.

In Pursuance of the Direction of an Act of Assembly of this State made and provided for the establishment of an Orphans' Court in and for the County of Baltimore, a commission directed to Andrew Buchanan, John Moale, Benjamin Rogers, William Buchanan, William Spear, Thomas Sollers and John Beale Howard, for that Purpose is now here produced, whereupon the said Benj^m Rogers, Will^m Spear and Thos. Sollers qualify themselves to the execution thereof by taking the oaths and subscribing the declarations prescribed by law.

Thomas Jones Register of Wills for the said County of Baltimore, produces to the Court here a certificate of his qualification as Register of Wills and having executed a Bond with sufficient security for the faithful discharge of the said office is hereupon admitted the Register of this Court.”

So begins the new order in things testamentary.

A few days before this the following was addressed to Thos. Jones :

“In Council, 8 Aug. 1777.

“Sir :

“We have resolved to appoint Mr. William Hayward, Mr. Levin Gale and yourself Judges of the General Court and have wrote to Mr. Hayward & Mr. Gale to know whether they will act. We shall be very glad if you can make it convenient to accept of this very honorable office and request you to give us your sentiments. If you accept, we think it necessary you should resign your place of Register of Wills before the commission issues.

“We are &c.”

The new Constitution then being put into operation required, Art. 56, "That there be a Court of Appeals, composed of persons of integrity and sound judgment in the law, whose judgment shall be final and conclusive in all cases of appeal from the General Court, Court of Chancery and Court of Admiralty. . . . That three persons of integrity and sound judgment in the law be appointed judges of the Court now called the Provincial Court, hereafter to be known as the General Court." Art. 48 gave authority to the Governor for the time being, with the advice and consent of the Council, to appoint the chancellor and all judges, justices, &c., but Art. 61 provided "that for filling in the first instance only all the offices in the disposition of the Governor, with the advice of the Council, the House of Delegates may also propose to the Senate a list of all officers in the appointment of the Governor, with the advice of the Council, and on the Senate concurring therein or on the recommendation of any of the persons therein mentioned, such persons so recommended shall be commissioned by the Governor." In case of a disagreement between the two houses a joint ballot was to settle the matter. April, 1777, the Legislature had named Chas. Carroll, Barrister, Benjamin Rumsey and Solomon Wright judges of the General Court, but none of these gentlemen accepted. The Governor and Council then made their appointment as above, all of whom declined. Finally on the 9th of March, 1778, William Paca, Nicholas Thomas and Alexander Contee Hanson were appointed judges of the General Court and severally qualified in presence of the Governor and Council.

When the list of officers was made by the Legislature in April, 1777, the naming of judges of the Court of Appeals was passed over, and the reason given was the great importance of the choice of the very best qualified persons for this office. It was not until December 12, 1778, that the House of Delegates named Benjamin Rumsey, Benjamin Mackall the 4th, Thomas Jones, Solomon Wright and James Murray, Esquires, to be judges of the Court of Appeals, and the Senate promptly agreed to the appointment. Thomas Jones was succeeded in the office of Register of Wills by Wm. Buchanan.

The Court of Appeals was not exempt from criticism in the course of its proceedings. Judge Rumsey, writing to Judge Jones, November 27, 1800, begins: "Fool, knave, drunkard. May it please your honour to take your choice, the General (Mackall) may take the next election, and what you will leave will probably be intended to fit me."

Judge Jones remained on the bench of the Court of Appeals until 1805 when the judicial system of the state was reorganized. The General Court was abolished and the Court of Appeals was composed of the Chief Judges of each of the six districts into which the state was divided. When the courts were reorganized Judge Jones found himself at the age of three score and ten with his friend and associate Benjamin Rumsey upon the bench of the Sixth Judicial District consisting of Baltimore and Harford counties.

In 1810 an effort was made in the House of Delegates to remove Judge Jones from office on account of non-attendance at court. One of the resolutions reads: "Resolved that it is contrary to the genius and spirit of a republic to tolerate a sinecure and that therefore no citizen of this state should retain a judicial office, who does not give a faithful and due attendance on the courts of which he may be constituted a member, however distinguished his talents or however brilliant his services may have been."

The Committee of Grievances and Court of Justice reported for the consideration and adoption of the General Assembly, the following address.

"To the Governor of the State of Maryland.

"The General Assembly of Maryland conceive it to be their bounden duty as the Guardians of the public safety to call your attention to the official delinquency of one the members of the Judiciary. It appears to the General Assembly from the most satisfactory testimony that Thomas Jones, Esquire one of the Associate Judges of the Sixth Judicial District has neglected to give that attendance on the Courts which the nature of his appointment and the interests of the public absolutely require.

"You are therefore requested immediately on the receipt of this address to remove the said Thomas Jones, Esquire from his office of Associate Judge of the Sixth Judicial District."

Judge Jones writing to one of the members of the Assembly says: "It is not probable from the present state of my health and from what it has been for some time past that I shall be enabled to attend the legislature in person at the time fixed for the second reading of the report of the Committee of Grievances and I have not as yet made up my mind to avail myself of the *indulgence* offered to substitute Counsel." He recalls that it is now upwards of thirty years since he received his first appointment to public office from the representatives of the people—having declined an appointment by the governor and council, refers to the records of the Court of Appeals to prove his application to duty, adding in parenthesis: "I would wish them to inform themselves at the same time of the compensation made to the Judges of that particular tribunal for their service for many years." He concludes: "I now most solemnly aver that I am not conscious that in the whole of that period I have ever intentionally neglected to discharge the duties of the office so far as I was competent—one instance only excepted—unless I was disabled by bodily infirmity or inclemency of the weather." The result in the legislature was conveyed to him in the opening sentence of a letter dated Dec. 14, 1810, written by Walter Dorsey, who defended him before the bar of the house: "I have the pleasure of informing you that the resolution reported by the Committee of Grievances in relation to your official conduct has not succeeded."

Before leaving the official life of Judge Jones I have deemed it well to inform myself concerning the compensation of a judge of the Court of Appeals in those times. I find the salary fixed in 1785 at £200 currency, and finally increased in 1799 to \$1000. It is obvious that with such a salary the time and attention of a judge could not be exclusively devoted to the duties of his office unless he were a man of independent fortune. The fortune left Thomas Jones by his father was not large even for those times. His assessment for taxes in 1781 was something upwards of £6000. His property consisted of real estate lying principally in Patapsco Neck, near Soldiers Delight, and in Baltimore Town, and in the slaves and stock thereon. The most valuable property consisted of farms in Patapsco Neck. To obtain from these farms the

means of support for his family required constant personal attention, and so we find much of his attention giving to farming. His Journal, kept from 1779 to 1812, the year of his death, and until the last few months entirely in his own hand, preserves a most interesting record of farm life in his day. As the plan adopted in the beginning is followed throughout I shall endeavor to give some account of it in general.

On the first page he begins an inventory of the servants, slaves, stock, implements of industry, &c., &c. In this he gives the servant by name and age, the slaves by name and age, the horses by age and color, the cattle by age, the hogs by age, and the sheep as rams, weathers, lambs, &c. Then follow the household furniture, utensils, &c., even to the number of napkins, towels, &c., then the kitchen furniture and utensils, and last the plantation utensils, and implements of husbandry. Each month has two pages devoted to its record. One line across the two pages is ruled for each day. Vertical lines are ruled dividing the first page into seven columns; the first contains numbers indicating the day of the month the second letters to indicate the day of the week, the third records the direction of the wind, the fourth the weather, the fifth is headed stock, the sixth is subdivided for the number of horses, cows, hogs and sheep, the seventh is headed casualties (to the stock). The second page is divided into two columns headed respectively employment, and remarks, occurrences, contracts, &c. In the last column only is found the record of his personal goings and comings, opinions, &c. In 1780 he records one servant, 14 slaves, $20\frac{1}{2}$ horses (he was half owner of one horse), 37 cattle, 32 hogs, 75 sheep. The employments for January are getting wood, threshing, shoemaking, dressing flax, &c. In the last column he records "my rascal Richard (a white servant) ran away for the 14th time," and after seven days "my rascal Richard returned."

I have collected together upward of fifty deaths mentioned in these Journals, and the records of remarkable storms, tides, &c. as an appendix to this paper. A few remarks not easily classified I shall reproduce here. "N. B. Rec'd £5, 15s. of Mr.— for pas-

turing his two horses last year instead of £9—pasture no horses for M^r— in future.” “Settled with my scoundrel of an overseer and accepted 13 gals. of peach brandy in satisfaction of the damage he had done me to am^t of £150 at least. N. B. He cheated me with apple brandy.” “Sick, N. B. Time lost in farming is irrecoverable. Three weeks lost with sickness & wet weather has lost $\frac{1}{2}$ of the crop.” “Feb. 11, 1789, Gen’l Washington’s birth day, 1732.” “Nov. 9, 1796. On Tuesday began the election of a successor to our most worthy president throughout the united States who had made known to the people his intencion to retire from public business.”

In addition to overseeing the work of his farms, traveling from one to the other, Thomas Jones began about 1786 to build the house which is still standing at Walnut Grove. The preparation for this included the making of brick, getting out of timber, &c., and much trouble with a variety of workmen. The house is situated at the junction of North Point creek and Welshman’s creek, and commands a fine view of bay and river. From the year 1789 his journal contains the record by months of the vessels going up the river to Baltimore, classified as Ships, Snows and Briggs, Sloops and Schooners, and Bay Craft. The black-board still haugs in the hall upon which the daily entries were made, which were summed up at the end of the month and entered on the last page of the yearly journal.

Among the many friends of Thomas Jones, Richard Sprigg of Strawberry Hill, West River, occupied the first place. He is constantly mentioned in his journal until November 23, 1798. “On this evening—this melancholly evening, the firmest of friends, and in my estimate the best of men—did my valuable friend R^d Sprigg of West River make his last respiration—with one hand clenched in mine—and may the omnipotent of his infinite mercy receive him into the mausions of eternal bliss.” Richard Sprigg was appointed Chancellor by the legislature in 1777 but resigned March 20, 1778. He owned the Sparrow’s Point farm which adjoined a farm of Judge Jones.

The first wife of Thomas Jones was Elizabeth Baxter of Cecil County. She bore him four daughters, two of whom died in

infancy. Of the two who arrived at maturity Henrietta Maria married Josiah Dallam of Harford County, and Elizabeth Waugh married Capt., afterward Col. Lloyd Beall, U. S. A., son of Benjamin and Mary Beall of Prince George County. The second wife of Thomas Jones was Elizabeth McLure, whom he married November 25, 1779. She was the widow of David McLure of Baltimore Town. But three of their seven children married. Philip Jones married Mary Beam, of what is now Carroll County; Thomas Sprigg Jones married Susanna Trotton, daughter of Dr. John Trotton and Sarah (Sollers), his wife; Anna Barbara Jones married Jacob Schley of Baltimore. Thomas Jones died September 27, 1812, at Fort McHenry, while visiting his son-in-law, Col. Beall.

I shall conclude this sketch with a letter of Judge Jones to his wife, which throws light upon the times and the man. The Rev. Mr. Hanna therein mentioned was rector of St. Margaret's, Westminster Parish, from the year 1778 to 1785.

Strawberry Hill, Thursday Night.

My Dearest Love.

Thanks to an all gracious supereminent Being, whose mercies are as boundless as his Existence is incomprehensible for the Preservation of your unworthy tho' tenderly affectionate husband, and his permission to address you once more on paper, and the probability of the blessing of revisiting of what is nearest and dearest to his heart on this terrestrial planet his most valuable friend and wife, and offspring.

Pause here, thou best of your sex, and be composed; and here woud I gladly suspend the relation until I folded you in these arms and pressed you to this bosom; but you will receive the report from some other hand before that joyful period can arrive—turn over and read with composure.

You are prepared. I will proceed.

We weigh'd anchor from the mouth of the creek an hour after I took leave of you, and after much labour and uneasiness we reached the opposite shore near the mouth of the river, and came to an anchor just at dark. I procured some milk and excel-

lent pone bread from a hut near the shore, made a very comfortable supper, afterward wrapp'd myself up very snug in my great coat and the foresail of the boat, and lay down very composedly, and about 12 o'clock wak'd from a comfortable doze considering situation, when I discovered the wind had shifted and blew a fine moderate breeze and as favorable as heart could wish. I then laid my account with being in Annapolis in three hours at farthest—called up the hands and we all agreed to weigh anchor again, and take the advantage the wind had presented us. We immediately stood out and when we had gain'd the bay, and got the boat on her course, down I went under the forepart of the boat, out of the night air, leaving the management in good hands as I thought—four negro fellows, one a skillful pilot belonging to Cap^t Pitt, employed in the business. In a few minutes I began to doze, and continued in that state about an hour, when I was alarm'd with a bustle above. I got up and the first sound I could listen to were—heave out the wood & stuff, or we must go to the bottom—we can't be sav'd, throw out the wood; and the first view that presented was the boat sinking at the stern—the sea making a breach over and filling her; the above negro pilot informing me at the same instant, that the pump would not work. I gave up my hope then and was stripping to take the last chance when the negro revived me by saying, there was a chance of her grounding, if she could be cleared of the cargo, on a flat ground he supposed we were near. I then with a presence of mind not to be accounted for, went in search of my baggs and found them on a chest floating in the fore part of the boat, but perfectly dry. In about 15 minutes after we struck on the flat, in about six feet water, the sea running high, but by the dexterous management of the negro, we were secured from its fatal effects, and by day light we had beat into two feet water. I then felt myself very sick and prevailed on one of the negroes to wade ashore, and get a boat to take us off which he effected about an hour by sun,—when I found myself in the neighborhood of the Rev. Mr. Hanna who received me in the most friendly manner, gave me a good breakfast and furnish'd me a horse and guide to Annapolis. I came over this evening to my friend, when I am much better recover'd than I

coud expect to be.—There is, my best belov'd, but little probability of the court rising this week—we have not enter'd on business as yet—to-morrow we expect to begin but it is doubtful to me whether we shall even commence business this week. . . . I prevail'd on myself to give the above detail, that you might not be distressed with the recital from some other quarter—Fairfax may return with my horses Tom and Abingdon—riding Tom, as soon as possible, for I will leave the court as soon as my attendance can possibly be dispensed with. Join your tribute of praise to the omnipotent for the delivery of your

truly aff^{te}

Thos. Jones.

Offer my paternal love
to yours and mine.

MARYLAND ACADEMY OF SCIENCE AND LITERATURE.

J. G. MORRIS.

The Historical Society of Maryland in its broad and comprehensive constitution embraces the history of literature and science in our State as well as of politics and government. Hence, memoirs of institutions of any public and useful character properly come within its domain.

I have thought that some notice of a society which existed in this city for many years and which exerted a most wholesome influence on a respectable portion of the community, would be very appropriate. It belongs to us as a society to rescue from oblivion all papers, reports and proceedings of such associations and to embody their history as far as the materials within reach will warrant.

Prompted by these feelings, I have taken the trouble to collect and arrange some facts relative to the late Maryland Academy of

Science and Literature, a society which was composed of most of the friends of natural science in this city during its existence but which unfortunately was suffered to decline and finally to become totally extinct.

Similar associations had been contemplated and several had actually gone into operation, but they soon disappeared after an ephemeral existence; but the first successful efforts to organize a society of this character were made in the year 1822. Though disheartened by the unsuccessful attempts of their predecessors, yet several energetic gentlemen determined to make one more vigorous trial to redeem the character of Baltimore and to cultivate and promote a taste for scientific pursuits. There was no association of the kind in the State, and yet here were men of considerable attainments in science or of strong inclinations in that direction; some of them were men of liberal means and refined education; some of them possessed collections of natural history objects, especially minerals and fossils; some of them had libraries of scientific books, and all of them were animated by a generous desire to extend the domain of science abroad in the community as well as to improve themselves. Some of the most prominent men engaged in this enterprise were the late Robert Gilmor, Dr. P. Macauley, Dr. Ducatel, Dr. Sproston Hall, Mons. Girardin, and among those living were Drs. Keener, Cohen, Frick, Buckler, Andrews, Gibson, J. P. Kennedy, P. T. Tyson.

These gentlemen met and organized in the year 1822. Their first place of meeting was in the upper story of a house which occupied the present site of Barnum's Hotel. When that house was taken down, they moved into rooms fitted up in a house previously used as a stable, which stood at the corner of Courtland Street and an alley, north of Lexington.

At this time the academy possessed an extensive collection of minerals and an herbarium and the nucleus of a zoological cabinet. Regular meetings were held and a commendable zeal animated the members, but they were not satisfied with their unaided efforts, and a strong appeal was addressed to gentlemen of the learned professions in the city and throughout the State,

which was in some measure responded to. The number of contributing members soon became sufficiently large to justify the step of procuring an apartment where the meetings of the academy could be permanently held ; furnishing at the same time a place of security for the collection, which was beginning to acquire both extent and interest. Still, difficulties of a formidable character presented themselves. The limited pecuniary means at command, forbade the erection or purchase of a suitable edifice to be appropriated exclusively to the uses of the academy. At length, the academy removed to a spacious hall in the large building then known as the Athenæum, which stood at the corner of St. Paul and Lexington Streets, now occupied by the Law Buildings. The fate of the old Athenæum is well known to us all, who were residents of this city. A new impulse was given to the society and its collections of natural history objects and books were considerably increased.

Here I may pause for a moment in the progress of the history to pay a tribute of respect to its distinguished first president, Mons. Louis Hue Girardin.

He was a native of France, and his real, original name was Louis François Picot. Even as a school boy, he far excelled all his fellow-pupils in classical and aesthetical studies and displayed an uncommon talent for poetry, but he was strongly recommended to direct his researches into history as he grew up. He was patronized by a French nobleman, but he was arrested in his career towards honors and emoluments by the occurrence of the French Revolution. He maintained a constitutional monarchy in the editorial columns of a political journal and was, in consequence, arraigned before a revolutionary tribunal. He was compelled to abandon Rouen where he then lived and afterwards taking a more decided and active stand in favor of the monarchy, he was obliged with many others to seek safety in this country, and he landed near Norfolk. Poor, friendless and in a strange country, he was wretched indeed. A French gentleman, who was the proprietor of a small farm in this State, employed him as a laborer, and the Marquis de Caira, who escaped with him, was entrusted with the care of the poultry and swine. It was then

that Mons. Picot, from a false impression, that the tyrants of his country would pursue him to this, changed his name to that of Girardin. As he already possessed a competent knowledge of the English language, he was advised to open a school. He was soon after invited to become a teacher in the college of Georgetown, D. C. Thence he removed to Virginia, where he presided at different times over several academies. He afterwards received the appointment to a Professorship in William and Mary College, where he commenced in 1804 the publication, in connection with a German artist, of a work entitled, *Amoenitates Graphicae*, in French and English, which work was not continued long.

In 1805, he commenced the translation of the Revolutionary Annals. About this time also, he published his Latin poem, *De Monomachia*, which did him credit as a moralist and as a votary of the muses. He contributed also to the columns of the *Old Bachelor*, over the signature of T. Lovetruth, which papers are highly commended by Mr. Wirt. He likewise published a series of moral and literary essays in *The Virginia Argus*, which furnished fresh evidence of the extent and versatility of his talents. He was at one time, joint proprietor and sole editor of the *Richmond Enquirer*. About this time, he wrote a life of John Adams, at the solicitation of the classical Dennie, which was published in the *Port Folio*. In 1811, he lost his wife and only son, in the conflagration of the theatre at Richmond. This terrible calamity unnerved the man ; he sank under the heavy blow ; his health rapidly declined ; he was forced to suspend his professional exertions and retired to the upper part of Virginia in pursuit of health and repose, neither of which he ever regained. Yet in this shattered state of body and mind, he completed his continuation of *Burke's History of Virginia*, one volume of which only has been published. He was elected a member of the American Philosophical Society, and the title of LL. D. was conferred on him by one of our universities.

He was subsequently elected to the presidency of Baltimore College. He here wrote a pamphlet entitled, *Pulaski Vindicated*, in reply to some supposed misrepresentations of the character of that distinguished man, made by Judge Johnson in his life of

Gen. Greene. He also prepared a course of lectures on botany for the Maryland Agricultural Society, but was more particularly engaged when taken ill, in writing a life of Lafayette, from documents furnished by the General himself.

It was shortly after Mons. Girardin's arrival in this city, that proposals to organize a society for promoting the study of the natural sciences were started. He was elected its first president, and in a history of this institution it is but a matter of justice to record his extensive learning, his accomplishment as a scholar, his urbanity and the high esteem in which he was held by his associates. He died on the 17th of February, 1825, in the 54th year of his age.¹

Let me now return to the narrative. When the academy removed into the Athenæum, everything promised continued prosperity and complete success. Through the agency of its then president, Robert Gilmor, Esq., a sum of money amounting to \$1200, being the accumulated fund of a pre-existent society, was transferred by its surviving members to the academy. A portion of this fund was expended in the purchase of standard works of reference, and the library was also enlarged by the liberal donation of several costly and useful works by the president. Other presents were also received from various gentlemen, and the whole formed a collection of about 800 volumes of the best publications in the different branches of natural science. In the meanwhile, there was added to the cabinet an extensive series of geological specimens obtained from Germany, together with samples of the mineral formations occurring in this State; and subsequently, a considerable number of shells, recent and fossil, with numerous preserved specimens in other departments of natural history, had been procured, all of which, while it gave evidence of zeal on the part of the active members, had become an object of interest to the scientific traveller, and proved that the natural sciences were not altogether neglected in Maryland. But how soon and unexpectedly the highest hopes of men are blasted and how suddenly may the fruits of years of arduous labor be destroyed. In two hours the whole of this valuable property was consumed by fire.

¹ Ducatel's Art. in Trans. Md. Acad. Sc. and Lit.

This melancholy event occurred in 1835. The noble building was set on fire in broad daylight by an incendiary, and in a few hours it was a heap of smouldering ashes. Another valuable library belonging to another association and much other valuable property were destroyed at the same time. As far as can now be ascertained, nothing whatever of the academy's collection was saved, not even the book of records. At least it cannot be found anywhere at present. One solitary specimen was subsequently picked up out of the ruins by Dr. Cohen. It is a *meteorite*, still in his possession. He cherished it ardently when it was in the collection and after the fire; his search for his favorite was rewarded by discovering it among a mass of stone and mortar that had been thrown out of the cellar. This child of mysterious fire that fell to the earth, from an unknown region, has lost none of its fair proportions or indestructible properties after having been subjected for days to the consuming heat of a terrible conflagration.

What could the academy do now after this deplorable calamity, their cabinet, their library, their furniture, all burned? They paused for a while and we might excuse them for some hesitation, but we find them unintimidated by the calamity and to their credit be it recorded that they determined to reorganize the society. Persuaded of the intrinsic importance of their scheme, its utility and the character it would confer on the city, they resolutely set to work, not only to restore the academy to what it had been after twelve years of existence, but to re-establish it on a basis of permanent prosperity.

The first recorded meeting after the destruction of their property was held in a private house on February 9, 1835, at which were present: Ducatel, McCauley, Geddings, Keener, Frick, Edmondson, Calvert, Alexander, Campbell and Gibson. At this meeting it was resolved to address a circular to the various scientific and literary societies of Europe and this country and to private individuals, setting forth the late loss of the academy and soliciting donations of books, minerals, shells and other objects. Some time after this the sum of \$1300 insurance was paid over to the treasurer by the Firemen's Company, which

enabled the academy to recommence the purchase of a library and other necessary articles. It was contemplated also to erect or purchase a suitable building for the academy, but this was never carried out.

In the year 1836, the rooms on the second story of the building on the northeast corner of Fayette and North Streets were rented, where the academy met until its dissolution in 1843. At this early period, learned papers were read by some of the members, lectures were delivered before the academy, experiments were performed and reports made on nearly every book and object of natural history that was presented or purchased. The meetings were thus made instructive, for at every one, something interesting was laid on the table which became the subject of conversation or discussion and afterwards it passed the ordeal of an appropriate committee. The members were divided into various classes :—

1. Mathematics, astronomy and physics.
2. Chemistry.
3. Mineralogy, geology, including physical geography and the history and classification of fossil remains.
4. Zoology, embracing the comparative anatomy and physiology of animals.
5. Botany, including vegetable physiology.

All these classes were filled by able men.

Donations of various kinds now came in every week and shelves and cases were erected for their reception. At one meeting an appropriation of \$550 was made for such fixtures. I mention this to show the energy and zeal which characterized the academy at that time.

To this society is due the honor of instituting the first series of popular public lectures ever delivered in Baltimore. The system has since become very general, but it owes its origin to the academy. Various individuals had delivered lectures before, but this was the first organized association that began it. The lectures were delivered in what was then known as Warfield's Church in St. Paul Street, which now constitutes a portion of N. C. Brooks' school buildings. This course was successful, although the system

was not so popular then as it has since become. (This was in 1838-39).

About this time a memorial was sent to the Legislature, petitioning for aid in promoting the objects of the academy, but it was unsuccessful.

It would be interesting to speak in detail of the additions made to the library and cabinet, and especially of the numerous experiments in chemistry and physics performed before the academy by such men as Ducatel, Geddings, Edmondson, Green, Fisher and others, but it would require more space than can be allotted in this brief memoir.

Some of the valuable papers which were read from time to time were published in Silliman's and other scientific journals. Some of them had been deposited among the archives, and in January, 1837, it was resolved that a volume of Transactions should be published. A committee made a selection of the papers and the volume appeared in print. It embraces: 1. A biographical notice of L. H. Girardin, first President of the Society, by Dr. Ducatel; 2. Outlines of the Physical Geography in Maryland, embracing its prominent Geological Features, by Dr. Ducatel; 3. A Catalogue of Phaenogamous Plants and Ferns, growing in the vicinity of Baltimore, by Dr. Wm. E. A. Aikin; 4. A description of the Frostburg Coal Formation of Allegany County, Md., with an account of its geological position, with a plate, by Philip T. Tyson; 5. A descriptive catalogue of the principal minerals of the State of Maryland, by P. T. Tyson; 6. On the Composition of Prussian Blue, prepared from different oxides of iron, by T. Phillips Allen; 7. On the Detection of Arsenic in Medico-Legal investigations, by Wm. R. Fisher; 8. The Latitude of Annapolis, by Hector Humphreys, D. D.; 9. Report of the Meteorological Committee; 10. Directions for preparing Specimens of Natural History; 11. On the Metallic Coating for Electric Rubbers, by Wm. R. Fisher; 12. Transactions of the Academy; 13. Donations to the Library.

This volume gives abundant proof of the ability of the contributors and reflected creditably on the whole academy. Papers enough to fill several such volumes were on hand, but the academy

was not able to bear the expense of publication. It is the only volume of Transactions ever published by a scientific association in Maryland.

So great was the zeal of the members in increasing their cabinet at this time that a regular taxidermist was employed to prepare and mount the numerous skins of birds and other animals that had accumulated for several years.

In this year the society sustained a severe loss in the removal to Charleston of Dr. Geddings, one of its most active and learned members, and his loss was most seriously felt. He had been connected with one of our medical schools and was a man of distinguished talents and attainments.

In this year the cabinet was greatly enriched by a splendid collection of foreign minerals, in a large mahogany case, which was bequeathed by Charles Carroll Harper, Esq., together with the instruments and books relating to mineralogy, all constituting a rich and interesting addition.

An active correspondence with learned foreign societies and individuals was conducted and many donations from them were received.

About the year 1840 the academy began to decline, owing to the removal and death of some active members and the indifference of others. Here was a library of rare and costly books, of nearly 1000 volumes, on every branch of natural science,—here were comfortable and convenient rooms,—here was a large collection of natural history in almost every department, and yet about this time, for nine successive weeks, not a quorum of five members could be brought together. The glory was beginning to depart. The few who remained found it inconvenient to pay the rent and keep up the meetings, and in the beginning of this year the expediency of dissolving the whole concern was intimated. Desperate struggles were made to sustain it. The trustees of Baltimore College offered the academy apartments free of rent, which offer some of the members were exceedingly anxious to accept, but it was finally refused after long, frequent and animated discussion.

For a short time after the settlement of this question, a new

spirit of enterprise seemed to animate the members, and there were several resolutions passed on Mr. Vattermare's plan of international exchanges, which was much talked of in the country at that period but from which no permanent benefit ever resulted.

At this period also the old Baltimore Museum was offered for sale, and the academy appointed a committee to enquire how it might be preserved to the city, but nothing satisfactory was ever done.

The proceedings of 1842 show that the financial condition of the academy was growing desperate and various methods of increasing the funds were suggested and adopted, but not one of which produced any beneficial result. Levies were made on the members, but many of them refused to pay. Urgent appeals were sent out but to no purpose.

This state of things continued for some months, during which various plans of infusing new life into the academy were proposed, until finally in 1843 a direct proposition to dissolve it was made. The discussion of this subject was continued for nearly a year, during which a considerable portion of the zoological collection was sold. A hard struggle ensued, and night after night the conflict was continued. The opponents of dissolution exerted themselves to the utmost to prevent the catastrophe and the friends of the measure were equally zealous. For a long time science had no share in the proceedings; the question was, shall we live or die? Each party rallied its friends. Resolutions were offered only to be negatived or reconsidered or laid on the table. Committees were appointed which did not report; various propositions from other societies in the city were presented but they were not accepted. One came from the Historical Society but the majority voted it down. This then was the state of things, when on the 3d of February, 1844, it was resolved to dissolve the academy. The last blow was given and it fell.

The question now arose, how should the property be disposed of? This also occasioned warm and protracted discussion, but it was finally determined to sell the furniture and the cases, to return to depositors as far as they could be ascertained, those articles presented or deposited by them. The remaining articles

and books were divided into lots and each lot valued, which were drawn for by the members according to an equitable rule adopted. Shares were allotted to each member according to the ratio of the number of annual contributions paid by each. The names of all the members were written on separate pieces of paper and deposited in the ballot box. The first drawn name then selected from among the articles the whole number of shares he was entitled to, and so on, until all had chosen. It was done. That fine library, that extensive collection was broken up, dispersed, never to be re-collected. The labor of years was scattered,—the gifts of many liberal persons to the academy for public use, went into the hands of individuals for private use. Books and specimens bought with large sums of money were given away by lottery. The halls were deserted,—the doors were closed, and the Maryland Academy of Science and Literature died. There were not many at its funeral, and those few came not to pay respect to the deceased but to divide among themselves its effects. “They parted its garments among them and on its vesture did they cast lots.” *Hic jacet; memoria ejus esto perpetua!*

No successful attempt has ever been made to resuscitate it. The fact is there are fewer cultivators of natural science among us now than there were twenty years ago, but we will not despair. When proper accommodations shall be afforded, as we are authorized to believe will be, and when a splendid collection of books on natural history shall be accessible to students, we trust that a new impetus will be given to such studies and that there will be a large number of collaborators in the delightful and profitable pursuit.

REVIEW.

THE HISTORY OF THE SOCIETY OF JESUS IN NORTH AMERICA,
COLONIAL AND FEDERAL. By Thomas Hughes of the same
Society. Vol. I. Cleveland : The Burrows Brothers Co., 1907.

A complete history of the Jesuits would be one of the most extraordinary and fascinating works in the world. In Europe it would deal with the secret policies and hidden springs that led to the making and unmaking of kingdoms and empires ; in Asia and Canada, with deeds of self-sacrifice and heroism compared with which the exploits of chivalry would seem children's play ; in South America with achievements stranger than romance.

Compared with these, the doings and the trials of the Jesuits in Maryland seem insignificant enough : a dispute about quit-rents, or about militia duties ; the question whether certain lands were feudal or allodial ; the extent of court-processes, etc., seem now to be what the General of the Order himself called them : *reculae*, "trifles," about which, especially since they were amicably settled more than two hundred and fifty years ago, nobody now need agitate himself much.

At the same time, these matters do form an episode in Maryland history that cannot be overlooked ; and a thorough investigation of them, such as Father Hughes has undertaken and carried out with the most praiseworthy diligence, should be welcome to all students of Maryland history.

The author, being a member of the Order, has had exceptional opportunities of consulting its archives and records everywhere, as well as those of the Propaganda and other religious bodies, and his industry in research seems to have been indefatigable. In fact, the reader is almost overwhelmed with references and citations, usually in the very words of the original documents. This, if a fault at all, is a fault on the right side.

But, while his connection with the Order has given the Rev. author an advantage in one respect, it has injured him in another, in making him rather an advocate than a historian. He can see nothing wrong

in the acts or attitude of the Jesuit Fathers, nor anything right in those who took the opposite view. There is no intentional unfairness ; but a sort of mental astigmatism that sees everything distorted. If we are saturated with the belief that a man is a tyrant and a hypocrite, all his vigorous actions will be tyranny and his gentle ones hypocrisy ; and behind his most righteous deeds we shall spy lurking sinister motives.

The chief points at issue between the Proprietary and the Jesuit Fathers were these :—

1. They thought it a hardship to have to pay quit-rents (in corn) on their lands.

2. They thought it a hardship that they should be called upon to contribute to the defence of the colony : that is, contribute toward the building a fort, and allow the performance of the regular militia duty by their servants.

3. They thought it a hardship that land given them by the Indians should be held under the Proprietary's charter.

4. They thought it a hardship that they and their servants should be subject, as were the other colonists, to the temporal law in matters temporal.

Now to the ordinary unprejudiced mind these matters present themselves thus :—

1. As the Fathers were holding many thousands of acres, most part of which was unproductive, doubtless a rent of a barrel of corn yearly per hundred acres was more than they could afford to pay. But they knew the conditions of plantation when they took them up. And it was easy at any moment to resign so much of the land as was useless and burdensome.

2. As their property and persons were included in the common peril, there seems no reason why they should be exempted from contributing to the common defence.

3. As Baltimore held all the Province under his Charter, to admit that titles to lands could come from any other source, would not only be to impeach his charter, but to assert that there was another source of authority in the Province besides the King of England.

4. To exempt any class of tenants from the operations of the temporal law in matters temporal, would have been to create an *imperium in imperio*—pleasing, perhaps, to the beneficiaries, but most unjust to the rest of the people.

To the present reviewer Baltimore's position seems not merely

reasonable and just, but the only one that it was possible for him to take ; and so it must have seemed to a much better judge, namely, the General of the Order, who decided in his favour and thus ended the controversy.

It has long been observed that controversies on matters theological are apt to beget in the contestants feelings of personal animosity. If I dispute with any one, say on supralapsarianism, it is not long before I discover that my opponent is as deficient in moral principle as he is in intellectual grasp. And Father Hughes' otherwise urbane style gets an infusion of gall whenever he speaks of Baltimore or his friends. He cannot refer to him without at least a sneer or an innuendo, and he has the art of so choosing his phrases as to imply odium. One instance will suffice : On p. 535 he marginates his text : "Baltimore on kidnapping Copley," and paraphrases an instruction of Baltimore thus :—"If Copley do not execute your orders, you kidnap him and send him away." Contrary to his usual laudable custom, Father Hughes does not quote the text of the order, which may be seen in *Calvert Papers*, I, 218. Baltimore writes to the Governor that if a certain contingency occurs, "I praie do not faile to send Mr. Copley away from thence by the next shipping to those parts." Now this instruction (which was never carried out) may have been arbitrary or harsh, but it was not "kidnapping." But then the word "kidnap" has an odious colouring.

He harps upon Baltimore's supposed desire to "feudalise" his Province, though, as it was completely feudal already, one does not see how that could be done. We have seen, not so long ago, a writer on Maryland history who supposed that a socage tenure was not feudal ; but such ignorance is not possible in the case of the present author. Hence one cannot but be surprised at a sentence like this (p. 399)—"Baltimore, having failed to impose his tenure *in capite* on the colony at large, endeavored for years to force it on the Jesuits." Surely the Rev. author forgot the words of the charter which expressly says that Maryland is to be held "in free and common socage"—that is, by a fixed compensation instead of uncertain services—"and not *in capite*."

So very strange is this statement, that the reviewer, on reconsideration, is inclined to suspect an inaccuracy of expression, and that "*his tenure in capite*" should read "*a tenure in capite*"; that is, that Baltimore, holding his lands by socage (rent), tried to impose on his colonists a tenure by services. If this be the meaning, I can only say

that I see no intimation anywhere that so preposterous an idea ever entered Baltimore's mind, nor can I imagine how he could have carried it out if it had.

In several places the author adverts to the tyranny of Baltimore in exacting from his colonists an "Oath of allegiance to himself" (pp. 391, 501). But Baltimore never required anything of the sort; in fact, he could not, for by his Charter (§ 10) all the colonists were in allegiance to the King of England. What he did at one time exact was an "Oath of Fidelity," which is a very different thing. It required the colonists to swear that they would be faithful to the government, and not be parties to any conspiracies against it. It was a harmless thing enough, and neither the lax-conscienced Fendall and his malcontents, nor the strait-laced Puritans on the Severn, ever felt any scruple at breaking it. But here again the Rev. author has unfortunately departed from his custom of citing the text of a document on which he is commenting. The oath may be seen in *Maryland Archives*, III, 196.

So embittered against Baltimore does the Rev. historian grow as he proceeds, that he comes to believe that he was not a Catholic at all. He was only "a so-called Catholic" (p. 485), he "posed as a Catholic" (p. 511). Such was not the opinion of the venerable Father Vitelleschi, General of the Order, who in a letter to the English Provincial testifies to Calvert's piety. But here we see the results of that mental astigmatism adverted to before. Calvert, not treating the Jesuits as the author thinks they should have been treated, must have been a hypocrite, and if so, then his profession of the Catholic faith must have been hypocrisy. But what had he to gain by it? On the contrary, he stood to lose everything. During his whole life his charter was fiercely attacked by powerful and insidious enemies without and within, and the most vulnerable point, at which all arrows were aimed, was the fact that he was a "Papist," and his government therefore a "Popish tyranny." "Papist," to the English mind in those days, meant a potential if not actual traitor, and a colony governed by Papists, a seminary of treason. He had but to declare himself a Protestant, to seal the accusers' lips. But he never did.

It was but natural that the worthy Fathers, escaping from a land where they were persecuted and proscribed, often in peril of their lives, and always under the shadow of the penal laws, to a land whose lord was himself a Catholic, where they might openly profess their faith

and safely perform the rites of their religion—that they should expect to be reinstated in their ancient privileges: right of sanctuary, exemption from the public burdens, control of matters matrimonial and testamentary, immunity from the temporal laws and courts, and the right to accumulate in the hands of their order vast and inalienable territorial possessions. But they looked at these matters only from one side, while Calvert had other sides to consider. He had to see that equal justice was done to all, and to promote, as far as possible, peace and harmony among his colonists, in a Province where the Protestants were largely in the majority. He had to avoid, as far as possible, giving any opportunity for the malcontents in Maryland to play into the hands of his powerful and vigilant enemies on both sides of the Atlantic, and strengthen their attacks on his charter. The concession of the Fathers' demands would have been the instant signal for a *Quo Warranto*.

What they owed to the Proprietary and the Charter they learned six years later, when Calvert's authority being paralysed, their stations were broken up, the priests driven into hiding, and Father White sent in irons to England; and again in 1655, when Bennett and Claiborne were in power, and they "only escaped slaughter by God's mercy" and their fellow-believers learned still more bitterly, in 1692.

It is much to be regretted that the bias of which I have spoken, and the inability to see beyond a certain narrow field of vision, detract from the value of a work on which so much labour and learning have been expended. Apart from this defect, the book is a very important one, and is full of matter that sheds light on the time and events spoken of, and that cannot be overlooked by students of Maryland history.

REVIEW.

BALCH GENEALOGICA, by Thomas Willing Balch. Philadelphia, Allen, Lane and Scott, 1907.

In the introduction, the author states that it has not been his aim to write a complete genealogy "but to publish all the information at present available of the family in England and of the descendants of John Balch of Maryland." The book, in fact, is not merely a genealogy but a family history in the best sense of the term, and the author has done his work well and thoroughly. The account of the English Balches (pp. 1-85) is very full, and much research is exhibited in the mass of documents cited in evidence, and in the numerous biographical details gleaned from many sources. While the connection of the American family with the parent English stem has not been definitely ascertained, the probability is strong that they were descendants of the Balches of Somersetshire whose connected pedigree is carried back to the year 1477.

The author's own line is traced from John Balch who settled in Maryland in 1658 and, on the authority of family manuscripts, is said to have been the father of Thomas Balch who, after going to England and participating in Monmouth's rebellion, returned to Maryland and died there in 1730. It is to be regretted that the evidence for the first two American generations is not given with the same completeness that characterizes the citation of proofs elsewhere in the work. The descendants of this Thomas Balch, numbering not a few men of eminence, are very fully treated and the copious biographies are decidedly interesting. The book is profusely illustrated, and its typography and general make-up are admirable.

LOWNDES FAMILY.

CHRISTOPHER JOHNSTON.

A very full pedigree of the English ancestors of this family, tracing the line back to the year 1582, is given in Earwaker's *History of Sandbach*, pp. 122-123. The arms of the family are as follows:—

Arms.—Arg., fretty az., on a canton gu., a lion's head erased or.
Crest.—A lion's head erased or.

1. CHRISTOPHER LOWNDES,¹ fifth son of Richard Lowndes of Bostock House, in Hassall, Cheshire, England, and Margaret (Poole) his wife, was baptized at Sandbach, 19 June 1713, and is mentioned, 1743, in his father's will. As early as 1738 he was living in Prince George's County, Maryland. 20 July 1738, William Beall Sen., of Prince George's Co., conveys to Christopher Lowndes, who acts in behalf of himself and of Henry and Edward Trafford of Liverpool, merchants, one acre of land called "The 22d Lot," on the Eastern Branch of Potomac (Pr. Geo. Co., Lib. T, fol. 633). 25 May 1741, "Capt." Christopher Lowndes conveys his interest in this lot to Messrs. Henry and Edward Trafford of Liverpool (Pr. Geo. Co., Lib. Y, fol. 293). Further evidence of his residence in Maryland at this time is found in a bill of sale, dated 26 Sept. 1739, wherein James Freeman sells two negroes to "Christopher Lowndes of Prince George's County, in the Province of Maryland, merchant" (*ibid.*, fol. 94). In 1748 he was the senior partner in the firm of Christopher Lowndes and Company, operating both in Maryland and in England. 22 August 1761, Francis Hatfield, attorney in fact for the executors of John Hardman, late of Liverpool, deceased, William Whalley and Edward Lowndes of Liverpool, merchants, convey to Christopher Lowndes of Prince George's Co., Md., merchant, the tract "Simon and Jane," 107 acres, in Prince George's Co., condemned at June Court, 1748, for 5992 lb. tobacco, for the use of Christopher Lowndes and Company, which said company consisted of John Hardman, William Whalley, and Edward Lowndes in Liverpool, and Christopher Lowndes,

merehant, of Maryland (Pr. Geo. Co., Lib. RR, fol. 154). The Edward Lowndes here mentioned as one of the Liverpool partners of the firm was doubtless the younger brother of Christopher (see Earwaker's *Sandbach*, p. 123). Christopher Lowndes was one of the Justices of Prince George's County from 1753 to 1775, and was of the Quorum from 1769 (Commission Book). 4 June 1777, he was commissioned, under the new State government, one of the Justices of the county and Judge of the Orphans' Court (Md. Archives, xvi, 273, 274). He died at Bladensburg, 8 January 1785. *The Maryland Journal and Commercial Advertiser*, Baltimore, 18 Jan'y 1785, has the following obituary notice:—"Died. A few days ago, in advanced age, at Bladensburg, Christopher Lowndes, Esq., for many years an eminent merchant of that place." He died intestate and his sons Benjamin and Francis Lowndes gave bond, 28 Jan'y 1785, in the sum of £5000 current for the administration of his estate, their sureties being Levi Gantt and Richard Contee (Pr. Geo. Co. Admin. Bonds). Christopher Lowndes married 14 May 1747 (Register of St. Ann's, Annapolis), Elizabeth Tasker (b. 4 Feb. 1726; d. 19 Sept. 1789) daughter of Hon. Benjamin Tasker, President of the Council of Maryland. They had issue as follows, the births of the first five children being recorded in Piscataway Parish, Prince George's County:—

- i. ANNE MARGARET LOWNDES,² b. 15 June 1748; d. unmar. 16. Jan. 1822.
 2. ii. BENJAMIN LOWNDES, b. 30 Dec. 1749; d. 6 Jan. 1802.
 3. iii. FRANCIS LOWNDES, b. 19 Oct. 1751; d. April 1815.
 - iv. SAMUEL LOWNDES, b. 20 July 1753.
 - v. ELIZABETH LOWNDES, b. 7 April 1755.
 - vi. REBECCA LOWNDES, b. 1757; d. 10 Feb. 1802; mar. 17 June 1781, Hon. Benj. Stoddert (b. 1751; d. 1813), first Secretary of the Navy of the United States.
 - vii. HARRIOT LOWNDES, mar. about 1781, Levi Gantt, Esq., of Pr. Geo. Co.
 4. viii. RICHARD TASKER LOWNDES, b. 25 Dec. 1763.
 5. ix. CHARLES LOWNDES, b. 1765; d. April 1846.
2. BENJAMIN LOWNDES² (*Christopher*¹), was born 30 Dec. 1749, and died 6 Jan. 1802. He married Dorothy Buchanan (b. 18 Feb. 1762) daughter of Gen. Andrew Buchanan of Baltimore County, and had issue:—
- i. ELIZABETH LOWNDES.³
 - ii. ANDREW LOWNDES.
 - iii. BENJAMIN LOWNDES.
 - iv. SUSAN LOWNDES, d. 22 Sept. 1822.
 - v. ELEANOR LOWNDES.
 - vi. CHRISTOPHER LOWNDES, b. 28 May 1799 (Piscataway Par. Rec.).

3. FRANCIS LOWNDES² (*Christopher*¹) was born 19 Oct. 1751, and died in April 1815. He married Jane Maddox (d. 6 July 1829) of Yorkshire, England, and had an only son,

i. FRANCIS LOWNDES,³ b. in Yorkshire, England, 1784; d. in Georgetown, D. C., 2 Dec. 1867, without issue. He married Angeletta Craighill, b. in Jefferson Co., Va., 1793, d. in Georgetown, D. C., 7 Sept. 1858.

4. RICHARD TASKER LOWNDES² (*Christopher*¹) of Blenheim, Bladensburg, Md., and of Bostock House, Prince George's Co., was born 25 Dec. 1763. He married Anne Lloyd (b. 30 Jan. 1769; d. 20 Feb. 1840) daughter of Col. Edward Lloyd of Wye and Elizabeth (Tayloe) his wife. They had issue:—

i. ELIZABETH TAYLOE LOWNDES,³ d. April 1878; mar. Right Rev. William Pinkney, D. D., Bishop of Maryland.

ii. ANNE LLOYD LOWNDES, d. unmar. 1 May 1850.

iii. EDWARD LLOYD LOWNDES, d. young.

iv. RICHARD TASKER LOWNDES, b. 1804; d. 19 Sept. 1815.

v. EDWARD LLOYD LOWNDES, b. 1807; d. unmar. 7 Jan. 1832.

vi. BENJAMIN OGLE LOWNDES, b. 1810; d. unmar. 12 July 1897.

5. CHARLES LOWNDES² (*Christopher*¹) was born in 1765, and died in April 1846. He was a merchant in Georgetown, D. C., but settled later in Jefferson County, Virginia. He married first, in 1794, Eleanor Lloyd (b. 22 Sept. 1776; d. 18 Aug. 1805) daughter of Col. Edward Lloyd of Wye and sister of his brother Richard Tasker Lowndes' wife; and secondly Francis Whiting (d. 2 Sept. 1841) of Virginia. Charles Lowndes and Eleanor (Lloyd) his first wife had issue:—

i. HARRIOT LOWNDES,³ b. 1795; d. 15 Aug. 1835; married Dr. Samuel Scollay of Jefferson Co., Va.

ii. EDWARD LLOYD LOWNDES, b. 5 June 1797; d. 21 Oct. 1797.

6. iii. CHARLES LOWNDES, b. 19 July 1798; d. 14 Dec. 1885.

7. iv. LLOYD LOWNDES, b. 9 July 1800; d. 14 March 1879.

8. v. RICHARD TASKER LOWNDES, b. 29 March 1803; d. 24 April 1844.

vi. ELIZABETH ANN LOWNDES, b. 13 April 1805; mar. Horace Leeds Edmondson.

Charles Lowndes and Frances (Whiting) his second wife had issue:—

i. FRANCES PERRIN LOWNDES, d. young.

ii. BEVERLY BLADEN LOWNDES, b. 1813; drowned 14 June 1835, while bathing in the Shenandoah River.

iii. FRANCES WHITING LOWNDES, b. March 1814; d. June 1815.

iv. FRANCES PERRIN LOWNDES, mar. John James Frame of Charles-town, W. Va.

6. CHARLES LOWNDES³ (*Charles*², *Christopher*¹) Commodore U. S. N., was born 19 July 1798, and died 14 Dec. 1885. He married, 4 June 1826, his first cousin, Sally Scott Lloyd, daughter of Gov. Edward Lloyd of Wye and Sally Scott (Murray) his wife. They had issue :—
 - i. SALLY LLOYD LOWNDES,⁴ b. 2 April 1827; mar. John W. Bennett, U. S. N.
 - ii. ELLEN LLOYD LOWNDES, b. 15 Sept. 1831; d. 23 July 1845.
 - iii. DR. CHARLES LOWNDES, b. 21 Oct. 1832; mar. Catherine M. Tilghman, daughter of Wm. Gibson Tilghman of Grosses.
 - iv. EDWARD LLOYD LOWNDES, b. 11 Oct. 1836; d. 20 June 1837.
 - v. LLOYD LOWNDES, b. 21 March 1838.
 - vi. RICHARD TASKER LOWNDES, b. 14 Feb. 1843; d. 6 Aug. 1845.
 - vii. ELIZABETH TAYLOR LOWNDES, b. 15 Nov. 1844; mar. Dr. Julius A. Johnson of Easton, Talbot Co.
7. LLOYD LOWNDES³ (*Charles*², *Christopher*¹) was born in Georgetown, D. C., 9 July 1800. In 1824 he settled in Cumberland, Md., but removed in 1831 to Clarksburg, W. Va., where he died, 14 March 1877. He married, in 1840, Elizabeth Moore, daughter of Thomas Moore of Clarksburg, and had issue :—
 - i. DR. CHARLES T. LOWNDES,⁴ Surgeon U. S. A., d. Feb. 1865.
 - ii. RICHARD TASKER LOWNDES, mar. 5 Feb. 1896 Mary Goff.
 - iii. HON. LLOYD LOWNDES, b. 21 March 1845; d. 8 Jan. 1905; Governor of Maryland, 1896–1900; mar. his first cousin Elizabeth Tasker Lowndes, daughter of Richard Tasker Lowndes.
 - iv. CLARENCE MOORE LOWNDES, b. 1847; d. young.
8. RICHARD TASKER LOWNDES³ (*Charles*², *Christopher*¹) was born 29 March 1803, settled in Cumberland, Md., in 1824, and died 24 April 1844. He married Louisa Black, daughter of James Black of Cumberland, and had issue :—
 - i. ELOISE LOWNDES,⁴ mar. Philip Roman of Cumberland, Md.
 - ii. ELIZABETH TASKER LOWNDES, mar. her cousin, Hon. Lloyd Lowndes, Governor of Maryland.

This genealogy, except where other authorities are cited, is compiled chiefly from the manuscript family records of Mrs. Edward Shippen of Baltimore, Md., and Mrs. Murray Addison of Washington, D. C., the latter being a great-granddaughter of Levi Gantt and Harriot Lowndes his wife, daughter of Christopher Lowndes. I desire to acknowledge my indebtedness to both these ladies.

MARYLAND GLEANINGS IN ENGLAND.

COMMUNICATED BY MR. LOTHROP WITHINGTON, 30 LITTLE RUSSELL STREET, W. C., LONDON.

HENRY LOWE of St. Mary's Co., Maryland, Gent. See *Mag.* ii, 180-181. The following, received too late for insertion in the last number, should be appended to the abstract of this will:—

“And on the back was endorsed St. Mary's County, November 6th, 1717” Oath of Richard Brooks and Michael Jenifer, two of the Wituesses. November 27th, 1717 Samuel Grasty (sic) made oath [signed] William Aisquith, Dep. Com'y True Copy from Lib W. B. No. 6 folio 453 per John Gibson Reg^r.—Maryland ss. Charles Absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltimore, etc. Oaths as above and will of Henry Lowe proved before William Asquith, Gent., our then Deputy Commissary the 14 November 1717 by Henry Lowe and Bennett Lowe, sons and Executors, etc., Witness, Charles Calvert Esq., Our Commissary General and Chief Judge for Probate, this 1st June in the 16th Year of our Dominion 1730. John Gibson, Registrar. Similar attestation that on 1 November 1722 by Honorable Thomas Brooke, William Holland, Thomas Addison, Daniel Dulany, Esquires, then General Commissioners, administration of Henry Lowe Esquire late of Kent County in Province aforesaid, deceased, intestate, was granted Mary Lowe, his relict. Similar attestation that on 14 November 1722 administration of Bennett Lowe, Esquire, of St. Mary's County, deceased, intestate, was granted to his brother Nicholas Lowe Esquire. Following is will of Nicholas Lowe of St. Maries County in Maryland, gent, dated ——— 17—. To sister Susannah Digges all those tracts of land now Resurveyed into one called Bennetts Lowe in Kent County, also Land in said County called Green Oak, also land in Cecil County called Spries Hills on condition her husband Mr. Charles Diggs make over to my sister Mary Neale, Lands he claims belonging to his plantation in Prince County where his dwelling House stands or else Spries Hill and Green Oak to

Revert to sister Mary. To sister Elizabeth Darnall my now Dwelling Plantation known by Name of Parts of Delabrook Manner in St. Mary's County, also three tracts near St. Mary's Court House which Maria Farthing formerly had, also lands I escheated adjoining Farthing called —. To sister Mary Neal, land in Charles County called Barbados (1500 acres) exchanged with Mr. John Diggs. To sister Dorothy Lowe tract called the Golden Grove laying Dorchester County. To Mrs. Mary Young of St. Maries County for her life, tract in said County called Workerton, to revert to sister Elizabeth Darnall. To said Mary Young, four young working sleeves, with twenty head of neat Cattle, ditto Sheep, ditto Hoggs, and two draft Horses, also furniture for One Room with two thousand pounds of Tobacco. Rest to sisters to be divided, but Negro Family's not to be parted at Division of Estate. Executors: Mr. Charles Diggs and Mr. Robert Darnall. No witnesses. Deposition of Christian Geist of City of Annapolis in Arndell Connty, gent, aged 30 years, as to handwriting of Nicholas Lowe of St. Mary County, Esquire, deceased. Sworn 23rd May 1729. True Copy, Edw. Henry Calvert. Ditto of Robert Elliot of Mary's County Gent 22 May 1729 as to said will as alleged by Mary Young. Ditto of Phillip Key of St. Marys County aged 32 years 23rd May 1727 as to paper Mr. Charles Digges told him he had found among papers in Closet of Mr. Lowe. Ditto of Edmund Cole of St. Mary's County Gent before Edward Henry Calvert, Esq. Commissary General, 23 May 1729. Aforesaid true Copeye of Nicholas Lowe Esquire, his will and the Depositions from Lib. C: C No. 2. Folio 707 to 709, per John Gibson, Regr., Charles Absolute Lord do. 30 May 1729 before our Dear Brother Edward Henry Calvert, Esquire, onr late Commissary General, will of Nicholas Lowe, Esquire. late of St. Mary County, deceased, by Sentence and Decree, proved in Prerogative Court in City of Annapolis, and administration granted 17 July 1729 to Charles Digges of Prince George Connty, Gent. Witness: Charles Calvert Esquire, Commissary General 1 June 1730, John Gibson, Junr, Registrar. Certificate of Benedict Leonard Calvert, Governor of Maryland 4 June 1730. Administration in Prerogative Court of Canterbury on estate of Henry Lowe, late of St. Mary's Connty, Province of Maryland in America, to Daughters Elizabeth Darnall (wife of Henry Darnall) and Dorothy Hall (wife of Francis Hall), Sons Henry Lowe and Bennet Lowe, executors, being deceased.

Mary Wade als Atkins, late in Maryland near Virginia. Administration 10 December 1660, to her sister Sara Starkey als Atkins, wife of John Starkey.

Admon. Act Book 1660, folio 195.

Daniel Taylor, lately of St. Martin Ludgate, but in Maryland in New England, deceased. Administration 24 July 1677 to Anne Yates als Taylor, natural sister and next of kin.

Admon. Act Book, 1677.

Anne Clymer als Ennis, late of Maryland. Administration 16 April 1691 to Christopher Rayner, first cousin and next of kin.

Admou. Act Book 1691, folio 66.

John Stannesby, late of Maryland, widower. Administration 4 January 1691/2 to brother William Stannesby.

Admon. Act Book 1692, folio 13.

John Seaman, late of Maryland. Administration 20 April 1692 to Richard Bell, guardian of Elizabeth Seaman, a minor, daughter and next of kin of defunct. Elizabeth Seaman, the relict, renouncing. This grant revoked, the will of defunct proved October 1692.

Admon. Act Book 1692, folio 67.

Nathaniel Heathcote, late of Anne Arundell County, Province of Maryland. Administration 7 July 1682 to his grandson Samuel Heathcote.

Admon. Act Book 1682.

Alexander Fullerton of Maryland, but in the ship the Elizabeth, bachelor, deceased. Administration 23 August 1694 to Isaac Fullerton, natural and lawful brother of deceased.

Admon. Act Book 1694.

George Butler, late of Maryland in West Indies. Administration 1 October 1698 to Jane Cooper, widow, principal creditor, Margaret Butler, the relict, having renounced.

Admon. Act. Book 1698.

Walter Pye, late in Maryland in West Indies. Administration 4 August 1699 to Robert Chaplin, guardian of Charles, Walter, and Anne Pye, minors, nephews, and niece of the defunct.

Admon. Act Book 1699.

Samuel Bigg, late of Maryland, but on the high seas, deceased. Administration 8 May 1703 to his sister Hanna, wife of Thomas Fox.

Admon. Act Book 1703.

Edward Newton, late of Mariland, beyond seas, bachelor. Administration 9 November 1725 to his father James Newton. Admon. Act Book 1725, folio 218.

Amos Garrett, late of Maryland, beyond seas, bachelor. Administration 5 July 1728 to his sister Elizabeth Ginn, widow. This Grant was revoked and another made 29 of the same month and year to his sisters Mary Woodward and the aforesaid Elizabeth Ginn, widows. Another grant in January 1734/5. Admon. Act Book 1728, folio 145.

James Peerman, formerly of Maryland, beyond seas, but deceased in the Fleet prison, London. Administration 10 February 1737/8 to his relict Ann Peerman. Admon. Act Book 1738.

Thomas Cadwell, late of Maryland in the West Indies, bachelor. Administration 6 July 1703 to sister Anna Maria Cadwell, spinster. Admon. Act Book 1703, folio 145.

John Knighton, late of Maryland, deceased. Administration 19 September 1720 to his mother Mary Farnworth als Knighton, wife of Ellis Farnworth. Admon. Act Book 1720, folio 191.

Robert Arundell, late of Ottery, St. Mary, county Devon, died at Annapolis, North America, widower. Administration 13 November 1725 to James Channon, guardian of Rebecca Channon, a minor, granddaughter of the said Robert Arundell. Admon. Act Book 1729, folio 214.

Michael Le Neve, late in Maryland, bachelor. Administration 3 September 1707 to his father Edward Le Neve, Esquire. Admon. Act Book 1707, folio 177.

George Muschamp, late of Potoxen in Maryland, bachelor, Administration 11 August 1713 to his sister Elizabeth Muschamp. Admon. Act Book 1713, folio 192.

William Bladen, late of Maryland, Esquire. Administration 9 December 1718 to his son Thomas Bladen, Esquire, during the absence of Anne Bladen, the relict, now in Maryland. Another Grant in September 1720. Admon. Act Book 1718, folio 230.

Peregrine Browne, junior, late of Maryland in America. Administration 17 October 1713 to Margaret Browne, widow and

Executrix of Peregrine Browne, father of the said defunct. A former grant September 1712.

Admon. Act Book 1713, folio 225.

William Burrowes, late at Maryland in the West Indies. Administration 12 February 1706/7 to his brother Thomas Burrowes, during absence of Anne Burrowes, widow, the relict, now in Maryland.

Admon. Act Book 1707.

Robert Granger, late in Maryland. Administration 17 November 1690 to his first cousins William Granger and Elizabeth Benskin.

Admon. Act Book 1690.

William Roades, late of Maryland in America, bachelor. Administration 9 January 1726/7 to his brother Thomas Rhoades.

Admon. Act Book 1727.

John Smith, late of Maryland in North America. Administration 18 August 1727 to his relict Mary Smith.

Admon. Act Book 1727, folio 182.

Elizabeth Watts, late of Maryland in the West Indies, spinster. Administration 19 February 1707-8 to her brother Charles Watts.

Admon. Act. Book 1708, folio 33.

Robert Lawson, late of Maryland in America. Administration 8 October 1714 to his relict Margaret Lawson.

Admon. Act Book 1714, folio 199.

John Edgar, late of Maryland, beyond seas. Administration 16 January 1710-11 to John Egleshan, attorney for the relict, Mary, now wife of John Hampton.

Admon. Act Book 1711, folio 11.

Edward Price, late of Sommersett County in Maryland, bachelor. Administration 25 November 1714 to his brother William Price.

Admon. Act Book 1714, folio 233.

Samuel Peele, late in the province of Maryland, bachelor. Administration 3 August 1733 to his brother John Peele.

Admon. Act Book 1733.

Robert Peele, late of the province of Maryland, bachelor. Administration 18 January 1733/4 to his brother John Peele.

Admon. Act Book 1734.

James Butcher, late of Maryland, beyond seas, bachelor. Administration 14 July 1733 to his brother Francis Butcher.

Admon. Act Book 1733.

John Copson als Weaver, formerly of St. Paul in Bedford, but at Maryland, beyond seas, widower. Administration 1 December 1740 to his daughter and only child, Mary, wife of the Rev. Jacob Rogers, clerk. Admon. Act Book 1740.

Amos Garrett, late of Maryland, beyond seas, bachelor. Administration 31 January 1734-5 to his sister Elizabeth Ginn, widow, a former grant in July 1728 to his sisters Mary Woodward, and the said Elizabeth Ginn, widow, having ceased by the death of the said Mary Woodward. This Grant expired, and another (with will annexed) made in December 1739.

Admon. Act Book 1735.

Henry Landen, late of Maryland in the West Indies, bachelor. Administration 12 January 1736-7 to his sister Hannah Lint-hall. Admon. Act Book 1737.

Charles Gough, late of Maryland, widower. Administration 4 July 1699 to Stephen Naquier, Guardian of Thomas Gough, a minor son of defunct. This Grant expired and another made November 1700. Admon. Act Book 1699.

NOTES.

ADDITIONAL INFORMATION UPON REV. SAMUEL KNOX.

A sketch of the life of the Rev. Samuel Knox, to whose essay on education Thomas Jefferson was indebted for many of the details of his plan for the University of Virginia, is found in the chapter on secondary education in Maryland, by Mr. Basil Sollers, written for Steiner's *History of Education in Maryland* (p. 43 ff.). A much more extensive sketch of Rev. Mr. Knox, by Bernard C. Steiner, is contained in vol. I of the Report of the U. S. Commissioner of Education for 1898 and 1899, p. 577 ff. Neither Sollers nor Steiner had any information as to Knox's life, from the time of his birth in Ireland in 1756 until his matriculation at the University of Glasgow, Scotland, thirty-three years later; but a recent examination of Carey's *American Museum* by Mr. Sollers has shown that Knox had come to America before his matriculation at the Scotch University. He was previously known to have come to the United

States as early as 1795, and then to have been teaching a school at Bladensburg, Md. He accepted a call to the Presbyterian Church there in 1795. It now appears that in 1788 and 1789 he had been at Bladensburg in charge of a school there. In vol. V of the *American Museum*, p. 406 (April, 1789) is published a communication signed Richard Ponsonby, containing a poem written by Mr. Samuel Knox in seven stanzas, and spoken by an equal number of boys, whose names are given, "alternately, on the conclusion of the elocutionary exercises of Bladensburg Grammar School under his judicious care, at an exhibition held the 18th and 19th of December, 1788."

Mr. Knox's admiration for Washington, which was later shown in a funeral oration delivered by him at Frederick City on February 22, 1800, is also shown in a poem written by Knox and sent from Bladensburg on April 16, 1789, to the *American Museum*, in which it appears in vol. VI, p. 85. The poem is entitled, "An ode most respectfully inscribed to his Excellency, General Washington, on being chosen President of the United States."

Another publication by Rev. Mr. Knox has recently been seen by the writer for the first time in the library of the Garrett family and is entitled, "A discourse delivered in the First Baptist Church (Baltimore) on January 12, 1815, a day recommended by the President as a day of fasting and prayer."

"MARYLAND.

In this Province one fourth Part of the Inhabitants or more are roman Catholicks. seven Churches of England are erected & established and some Missionaries are sent here. I presume about one Third Part or more, are Discenters of various denomination, but chiefly Praesbiterians. There may be seven or eight Praesbiterian Ministers settled In this Province and there are many very Important praesbiterian Vacanteies."

Rev. Elam Potter, who graduated at Yale College in 1765, travelled through the Southern colonies in 1767 and, on his return, gave the Rev. Ezra Stiles, then pastor of a church in Newport, R. I., the results of his observations. Under date of Aug. 22, 1768 are found the above remarks as to Maryland, which have been furnished us through the courtesy of Prof. F. B. Dexter of the Yale University Library, where the Stiles manuscripts are preserved.